

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
JUNE 13, 2016

Vice President Scot Pitzer called the meeting to order at 7:00 PM with the following Councilors present: Mrs. Susan Naugle, Mr. Graham Weaver, Mr. Jacob Schindel, Mr. Wesley Heyser, Mrs. AmyBeth Hodges and Mr. Robert Krummerich Acting Mayor/Council President. Staff present included: Manger Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James; Public Works Director Dan Hilliard; and Borough Engineer Chad Clabaugh, C.S. Davidson.

Others present include: Adams County Court of Common Pleas Judge Christina Simpson; Deb Adamik, President, Main Street Gettysburg; Matthew George and Steve Wyngarden, Civil War Trust, 1156 15th St. NW, Washington, DC; Tammy Myers, President, Gettysburg Heritage Center/Future Stake Inc., 297 Steinwehr Avenue; Darlene Brown, PICPI, 40 East High Street; David Petters, Blue and Gray Bar & Grill, LLC, 2 Baltimore Street; Mike Shestok, 264 Baltimore Street; Charles Strauss, 38 West Middle Street; Chuck Teague, 125 East Middle Street; Mike Tallent and Ron Frenetle, 811 Johns Avenue; Harry Hartman, Publisher, the *Gettysburg Times*; Rodger Goodacre, 105 East Broadway; Steve Hemler, 535 York Street; Stan Clark, 915 Fairview Avenue; Stephen Brown, 20 East Middle Street; Carol Snyder, 902 Long Lane; Megan Ziegler, 119 East Middle Street; Judie McGee, 256 Baltimore Street; Robin Murphy, 35 Buford Avenue; and Penny Kessler, 47 Baltimore Street.

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

Vice President Scot Pitzer announced that State Senator Richard Alloway agreed to donate funds for the taping of Borough Council meetings by Community Media of South Central Pennsylvania for the remainder of this year. He noted that there is no tax dollars used to underwrite this initiative.

Vice President Scot Pitzer announced an executive session of the Borough Council of the Borough of Gettysburg was conducted on Tuesday, May 31, 2016, immediately prior to the commencement of a special meeting of the Borough Council consistent with sections 708(a)(1), 708(a)(2), 708(a)(3), 708(a)(4) and 708(a)(5) of the Sunshine Act.

Vice President Scot Pitzer announced an executive session of the Borough Council shall be conducted immediately prior to the adjournment of this meeting consistent with sections 708(a)(1), 708(a)(2), 708(a)(3), 708(a)(4) and 708(a)(5) of the Sunshine Act for the following reasons and purposes: (1) to discuss matters involving the employment, the termination of employment by resignation or retirement, and the terms and conditions of employment and of the termination of employment of current Borough

employees; (2) to provide information or to discuss strategy in connection with any grievance matters filed by Teamsters Local 776 or any other matters threatened to be filed by the police officers' labor union; (3) to provide information and to discuss and consider matters in connection with the possible purchase of real property by the Borough of Gettysburg; (4) to consult with the Borough Manager and the Borough's solicitor in connection with information or strategy on which identifiable claims or complaints are expected to be filed against the Borough of Gettysburg and its employees in connection with the May 12, 2015 arrest of Derek Twyman; and (5) to review and discuss Borough business which, if conducted in public, would violate a lawful privilege or could lead to the disclosure of information or matters of confidentiality protected by law.

Moved Mr. Heyser, seconded Mrs. Naugle to approve the June 13, 2016 Agenda as presented. Motion carried unanimously.

Mr. Weaver asked that the following be added to the last paragraph on page two of the Council Work Session Minutes of May 23, 2016: Mr. Pulcini stressed that obtaining this bond would in no way affect the borough's millage rate. Mr. Weaver asked if this meant that there would be no property tax increase and Mr. Pulcini said that was correct.

After making this change, moved Mr. Heyser, seconded Mr. Schindel to approve the May 9, 2016 Council Business Meeting; May 23, 2016 Council Work Session; and May 31, 2016 Special Council meeting minutes as presented. Motion carried unanimously.

Public Comment:

Mike Shestok, 264 Baltimore Street, addressed Council stating that he approves the bond issue. He said that the streets are in need of repairs and the street sweeper should be replaced. Mr. Shestok also addressed Council regarding the safety concern with Wall Alley. He said that he doesn't support the Presbyterian Church taking Wall Alley, and said that he would rather keep it a two-way alley. Mr. Shestok said that he attended the Gettysburg School Board meeting noting that he was the only citizen in attendance. He said that the school taxes will be going up a minimum of 1 percent.

Chuck Teague, 125 East Middle Street, said that he uses Wall Alley daily, and has not noticed any safety issues. He hopes that it will remain a two-way alley.

Charles Strauss, 38 West Middle Street, thanked President Krummerich for his article in the paper thoroughly explaining council policy. He suggested that Council conduct sessions outside of the regular meetings to help increase transparency. Mr. Strauss said that this would encourage citizens to ask questions and engage in dialogue with Council members. He then asked when the Third Ward would be scheduling a meeting to discuss issues.

Tammy Myers, 297 Steinwehr Avenue, said that she was saddened to hear of Planning Director Scott Dellett's recent resignation. She said that she feels Scott lost hope and really didn't want to leave. Mrs. Myers went on to say that there are good people who work for the Borough and care about their jobs. She said that "civility" needs to return to the Council meetings.

Special Presentation:

Jackie Dwyer, Gettysburg Area Recreation Authority (GARA), introduced herself as the newly-hired Recreation Director. She said that she is excited about the position and already thinking of plans for the Rec Park. Ms. Dwyer said that everyone has been supportive and kind to her, and said that she is happy to be in Gettysburg.

Mayoral Candidates Remarks

Stephen Brown addressed Council and said that as Mayor, he would make any needed changes within the police department to make it a better police force. He also said that he would work at securing grants for items needed for the police. Mr. Brown pointed out that he is retired from the police force after twenty-three years of service, so he is very knowledgeable of how a police department should be handled.

Theodore Streeter addressed Council and said that he would make a good candidate because he has twenty years of service with his time served on both Borough Council and the Gettysburg Municipal Authority. He said that the Mayor does more than just oversee the police department, he meets with legislators, ribbon cuttings etc. Mr. Streeter also said that he would be well positioned to address the Borough's current issues with the police department.

Moved Mr. Heyser, seconded Mr. Schindel to adopt a resolution appointing Theodore H. Streeter as Mayor of the Borough of Gettysburg to fill the vacancy in that elective office created by the resignation from that office of William E. Troxell and to serve until the expiration of the term in the Office of Mayor to which William E. Troxell was elected, which term shall expire on the first Monday in January 2018. Motion carried 6 Yea/1 Nay with Mrs. Naugle the dissenting vote.

Mrs. Naugle said that she feels both candidates have certain strengths and skills to be Mayor. She said that her deciding factor was in looking at what the Borough needs for the short-term. Mrs. Naugle said that Mr. Brown served in the police force for over twenty years and would have the skills to benefit our police department.

At this time the Oath of Office was administered by Judge Christina Simpson to Theodore H. Streeter the newly appointed Mayor. The Mayor took his seat at the table.

At that time Vice-President Pitzer vacates chair of presiding officer in favor of President Krummerich.

Moved Mr. Schindel, seconded Mr. Pitzer to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Moved Mr. Schindel, seconded Mr. Pitzer to accept the J. P. Harris Tax Exoneration report for tax years 2008 through 2014 as presented. Motion carried unanimously.

Moved Mr. Schindel, seconded Mrs. Hodges to transfer from the General Fund to the Debt Service in the amount of \$507,873.00. Motion carried unanimously.

Mr. Schindel, seconded Mrs. Naugle to cancel the work session scheduled for Monday, June 27, 2016, and to set a special meeting in its stead for that date commencing at 7:00 PM for the purpose of enacting an ordinance authorizing the issuance by the Borough of General Obligation Bonds, Series of 2016. Motion carried unanimously.

Manager Gable outlined the duties of the planning department with the departure of Planning Director Scott Dellett. He said that Clem Malot, PA Municipal Code Alliance, and Chad Clabaugh, C.S. Davidson will be helping with some of the workload. Manager Gable said that the position has been advertised through July 1st.

Moved Mrs. Naugle, seconded Mr. Pitzer to approve and authorize the issuance of Certificates of Appropriateness for Items: A (49 Steinwehr Avenue), C (20 West High Street), D (131-133 West Middle Street) and E (401 Buford Avenue), as set forth in the minutes of the May 18, 2016 meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Motion carried unanimously.

Moved Mrs. Naugle, seconded Mrs. Hodges to deny the issuance of a Certificate of Appropriateness for Item B (55 Breckenridge Street), as set forth in the minutes of the May 18, 2016 meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Motion carried unanimously.

Moved Mrs. Naugle, seconded Mr. Heyser to appoint R. Clem Malot, MCP CFM, of Pennsylvania Municipal Code Alliance, Inc. as the interim Borough of Gettysburg Zoning Officer. Motion carried unanimously.

Manager Gable reported that the Pay-by-App for the parking meters is going very well, and that he will continue to provide a monthly report to Council.

Moved Mr. Heyser, seconded Mr. Schindel to approve the final release of the remaining financial security in connection with the Future Stake, Inc. Preliminary/Final Land Development Plan in the amount of \$27,940.00, consistent

with the certification letter issued by the Borough Engineer dated June 7, 2016. Motion carried unanimously.

Moved Mr. Pitzer, seconded Mr. Schindel to provide notification to the Civil Service Commission of the Borough of Gettysburg of the vacancy in the position of entry-level patrol officer in the Gettysburg Borough Police Department and to request the Commission's certification of an eligibility list for the position of entry-level patrol officer. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Pitzer to adopt a resolution updating and adopting Rules and Regulations of the Borough Council of the Borough of Gettysburg Regarding Conduct of all Meetings Open to the Public and the Maintenance of Order at such Borough Meetings. Motion carried unanimously.

Manager's Report:

Manager Gable reported that the grant application has been submitted for the Jonas Winter Storm.

Liaison Reports:

GETTYSBURG AREA RECREATION AUTHORITY

Mr. Schindel reported that Steve Williams, who was the acting director has agreed to continue helping at the recreation park. He also reported that the Future Stars Tournament was recently held at the recreation park.

GETTYSBURG MUNICIPAL AUTHORITY

Mrs. Naugle reported that the bond was approved at the May GMA meeting and will save them money. She also reported that the interceptor project work should be completed soon. Mrs. Naugle said that GMA is currently getting estimates for the sewer work to be done on Long Lane.

MAIN STREET GETTYSBURG

Moved Mr. Heyser, seconded Mr. Pitzer to authorize the extension of the Borough's Memorandum of Agreement with Main Street Gettysburg, Inc. by mutual written agreement for an additional term of one year. Motion carried unanimously.

STEINWEHR AVENUE

Mrs. Hodges announced that the ribbon cutting at the newly built Appalachian Brewing Company on Steinwehr Avenue was successful.

ADAMS COUNTY COUNCIL OF GOVERNMENTS

Moved Mr. Schindel, seconded Mrs. Naugle to appoint Theodore Streeter as the representative to the Adams County Council of Governments. Motion carried unanimously.

ADAMS COUNTY TRANSPORTATION PLANNING ORGANIZATION

Mrs. Naugle reported that the next meeting of ACTPO will be held on June 22nd.

Mrs. Naugle announced that the Gettysburg Borough received second place for its Borough Newsletter from the Pennsylvania State Association of Boroughs at its annual conference held in Hershey, which she recently attended. She gave a brief overview of items discussed at the conference. Mrs. Naugle said that the PASB fall leadership conference will be held in October.

Mayor:

Mayor Streeter thanked Council for their vote and encouraged citizens to serve on the Borough's boards and commissions. He said that he would like to meet with Manager Gable and Chief Dougherty to get briefed on issues. Mayor Streeter also said that he would like to read the police report and follow up with a briefing with Solicitor Eastman.

Council:

President Krummerich reported that as acting Mayor he attended several benefits, and noted that he met with the Mayor of St. Mere Eglise who was in Gettysburg recently. He said that he didn't realize how busy the Mayor's office is.

Susan Naugle reported that she attended the Healthy Adams County Affordable Housing Summit. She gave a brief overview of the outcome of the housing survey.

Mrs. Naugle also said that she attended a session on heroin addiction and asked if the police cars carry Narcan. She said that this is a life saving opiate antidote that can reverse the effects of an overdose. Chief Dougherty responded that the officers are trained to use Narcan, but it is not carried in their patrol cars. He said that the officers must sign it out during their shifts, and that the department follows the guidelines provided by the Adams County District Attorney. Mrs. Naugle said that she didn't recall any discussion with Council regarding the use of Narcan.

Wesley Heyser noted that the Emergency Services has been carrying Narcan in their vehicles.

Scot Pitzer read the expenses associated with the legal fees pertaining to the tasing incident as follows: Line item 409:318: Labor Service Legal spent to date

\$14,045, budgeted \$20,000; Line item 410:314: Special Legal Services \$22,740 budgeted \$45,000 and the Borough Solicitor fees were \$19,401. He said that this report may avoid the public records request that have cost the Borough money.

Public Comment:

David Petters, Blue and Gray Bar & Grill, LLC, 2 Baltimore Street, addressed Council with his concerns regarding the farmers market that began operating recently every Thursday. He said that the meters are bagged for approximately eight hours which impacts the sales downtown. Mr. Petters said that it also blocks tourist from parking in the downtown area. He said that it is a negative impact on the businesses. Mr. Petters asked if this could be scheduled in different quadrants and not in his business quadrant each week.

Mr. Schindel agreed that the meters are rented and bagged for a designated time, but that the vendors begin setting up at noon time. Mr. Pitzer asked why this quadrant was chosen for the farmers market. Manager Gable responded that it was the larger quadrant and better for handicapped people.

Mike Shestok, 264 Baltimore Street suggested the farmers market move to the recreation park because it would have more space and adequate parking.

Charles Strauss, 38 West Middle Street asked again if it was possible for Mrs. Naugle, Mr. Weaver and Mrs. Hodges to conduct a meeting for the community in the 3rd Ward. He feels that it is important for the community to be able to ask questions of its representatives. Mrs. Naugle said that she would be in favor of scheduling a meeting. She noted that the Third Ward representatives have held meetings in the past.

The meeting was adjourned to an executive session at 8:45 PM.

The meeting was reconvened at 9:58 PM, and with no further business, moved Mr. Pitzer, and seconded Mr. Schindel to adjourn the meeting at 10:00 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary