

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
JULY 11, 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 and Mrs. AmyBeth Hodges. President Robert Krummerich and Mayor Theodore Streeter absent. Staff present included: Manger Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James and Public Works Director Dan Hilliard.

Others present include: Edward Clark, Superintendent Gettysburg National Military Park Service; Jeremy Murphy, NPS Chief Ranger; Zachary Bolitho, Chief of Resource Management; Deb Adamik, President, Main Street Gettysburg; Norris Flowers, President Destination Gettysburg; Max Felty, President Gettysburg Tours, Inc.; Mike Shestok, 264 Baltimore Street; Mike Tallent and Ron Frenetle, 811 Johns Avenue; Harry Hartman, Publisher, the *Gettysburg Times*; Steve Hemler, 535 York Street; Fred Hawthorne, Fairview Avenue and Karen Fouche.

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

Vice President Pitzer announced that an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately prior to the adjournment of the June 27, 2016 Borough Council special meeting consistent with sections 708(a)(1), 708(a)(3), and 708(a)(5) of the Sunshine Act.

Vice President Pitzer announced that 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 of current Borough employees; (2) to provide information and discuss matters in connection with the Borough's collective bargaining agreement with its police officers' union, Teamsters Local 776; (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. Schindel, seconded Mrs. Hodges to approve the July 11, 2016 Agenda as presented. Motion carried unanimously.

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

Moved Mr. Heyser, seconded Mr. Schindel, to approve the June 27, 2016 Special Council Meeting minutes as presented. Motion carried unanimously.

Public Comment:

Mike Shestok, 264 Baltimore Street, thanked Councilwoman Naugle and the Public Works Department for their work in removing the brush and trees along Wall Alley and Stratton Street making it better to see. Another issue that has been ongoing for a year is the safety along Wall Alley. A traffic study has been completed by the county, so he hopes that the process will continue and determine if the alley will remain two-way or change to a one-way alley. He would also like to know the outcome of the Presbyterian Church's request to take over a portion of the alley if the Borough were to vacate it.

Mr. Shestok applauded Mr. Patterson of McDonalds for hosting the "coffee with a cop" on Tuesday mornings. He also said that he was pleased to see the police department and other local police providing vehicle and foot patrols during Bike Week.

Mr. Shestok asked that when the final cost for the May 5, 2015 police Taser incident becomes available if it would be presented to the taxpayers. He wondered from this incident what lessons were learned by Council, the police department and Borough staff.

Steve Hemler, 535 York Street, addressed Council with his concerns regarding the \$4 million dollar bond recently approved. He suggested that the money be placed in a separate fund and used for the items listed and not for other items.

Special Presentation:

Ed Clark, Superintendent NPS, addressed Council regarding the bus detour through the Colt Park area. He said that while work takes place at the former Visitor Center where the demolished Cyclorama building stood, the buses will need to be rerouted. Mr. Clark said that the project will include restoration of historic land between Steinwehr Avenue and Taneytown Road. He said that the work could be complete by late October.

Some members of Council expressed concern that Borough officials were not notified prior to this and included in the discussion of the detour route. Public Works Director Hilliard said that the streets being used for the detour in Colt Park do not violate any ordinances regarding bus traffic. Mr. Clark apologized for the lateness, and said that he would keep Council better informed in the future.

Finance Director James noted that the General Obligation Bond will be set up in a separate account. Mr. Heyser suggested that a report of the account be submitted monthly to Council.

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

Moved Mrs. Hodges, seconded Mr. Heyser to authorize a COLA increase for retired police pensioner Walter Gliem, to be paid from the Police Pension Plan effective June 1, 2016. Motion carried unanimously.

Moved Mrs. Naugle, seconded Mr. Weaver to approve and authorize the issuance of Certificates of Appropriateness for Items A (231 North Stratton Street), B (533 Steinwehr Avenue), C (37 North Fourth Street) as set forth in the minutes of the June 15, 2016 meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Motion carried unanimously.

Moved Mr. Schindel, seconded Mrs. Naugle to authorize the Borough's entry into an Amendment to Memorandum of Land Development Agreement with Developers, David A. and Susan J. Strickland, relative to the release of the financial security for site improvements for land development at 41 Steinwehr Avenue, which land development project will not be undertaken by the Developers. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Schindel to authorize the release of financial security in the amount of \$8,492.00 in the form of a Subdivision & Land Development Improvements Bond issued by Selective Insurance Company of America relative to site improvements for land development at 41 Steinwehr Avenue by the Developers, David A. and Susan J. Strickland, which land development project, will not be undertaken by the Developers. Motion carried unanimously.

Chief Dougherty reported that Bike Week was a “very quiet” affair this year. He reported that during Bike Week, the department received a total of 116 incidents during the 72 hour period, noting that this included all incidents and not all bike related. Chief Dougherty said that the shooting that occurred was not related to Bike Week. He responded to questions concerning motorcycles parking in parking spaces, and how many are allowed. He stated that as many bikes that can fit into a parking space are allowed to park, but noted that if the parking meter isn’t paid, all motorcycles would receive a parking violation.

Mr. Weaver asked what incident happened on Long Lane. Chief Dougherty responded that it was a call to the Recreation Park for issues not related to Bike Week events.

Moved Mrs. Hodges, seconded Mr. Heyser to authorize Joseph F. Dougherty, Chief of Police, to submit an application on behalf of the Borough of Gettysburg and its Police Department to The Robert C. Hoffman Charitable Endowment Trust requesting grant funding in the amount of \$2,000.00 for increased Borough police foot patrol presence. Motion carried unanimously.

Mrs. Hodges asked Chief Dougherty who the business owners should contact for information requesting foot patrol. Chief Dougherty responded that they should contact the police department directly.

Manager's Report:

Manager Gable explained the procedures of using the new Passport smart phone app to pay for parking. He pointed out that meters flashing expired may actually have time remaining. He said that when paying by the app, the payment does not reflect on the meter, but is tracked on the parking officers' handheld. Manager Gable also reported that the app has generated over \$20,000 in parking revenue this year.

Manager Gable reported that Mayor Streeter sent a thank you note to Senator Alloway for his generous donation to pay for the public broadcast of the Council meetings for the remainder of this year.

Liaison Reports:

Gettysburg Area Recreation Authority

Mr. Schindel reported that the Gettysburg Fireman's Carnival went very well this year.

Gettysburg Municipal Authority

Mrs. Naugle reported that GMA is currently working on updating its website to improve bill payment and other options. They are considering using the same firm as the Borough to update their website.

Mrs. Naugle reported that the Long Lane Sewer Repair project has been sent out for bids. They anticipate taking action on this project at the July meeting.

Mrs. Naugle reported that GMA received correspondence from the Department of Environmental Protection regarding the sewer plant. It had two incidents over the past two years where it had an organic overload. This overload comes into the plant through the system, which exceeded what they are permitted. GMA is currently working with DEP and their engineers to determine the cause.

Adams County Transportation Planning Organization

Mrs. Naugle reported that Penn DOT assured her that two-way traffic would be maintained during reconstruction of the bridge over Rock Creek on York Road (Route 30) next year. She noted that they are prepared to shuttle pedestrians walking across the bridge.

Mrs. Naugle also reported that the Transportation Improvement Plan was finalized and adopted. She pointed out that funding is down 19% this year in the County, noting that there are 46 projects and 26 bridges on the final document.

Council:

AmyBeth Hodges expressed her disappointment for not being allowed to participate in a non-public executive session following the June 27th Council meeting. She said that

President Krummerich disconnected the phone after the public meeting ended. Mrs. Hodges asked that this issue be placed on the Council workshop session for discussion.

Solicitor Eastman explained that the state law specifically authorizes Council members to participate in public meetings by electronic means. He pointed out that there is no authorization for participation in executive sessions which are closed to the public. Solicitor Eastman said that the executive sessions are privileged and confidential.

Wesley Heyser thanked the lead sponsors, Gettysburg College and Destination Gettysburg, as well as all the organizers and sponsors of the July 4th events.

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 \$14,046, budgeted \$20,000; Line item 410:314-Special Legal Services \$24,768.62, budgeted \$45,000.

Public Comment:

Mike Shestok, 264 Baltimore Street, said that Ward 3 is busy with a lot of work, noting the construction along Steinwehr Avenue. He said that he appreciates the NPS informing every one of the bus detour.

Fred Hawthorne, 961 Fairview Avenue, said that he was disappointed with the NPS using Colt Park for the bus detour. He said that he is also a Licensed Battlefield Guide, and that they weren't notified prior to the detour.

Steve Hemler, 535 York Street, expressed his concern regarding a Council member yelling at him at the June 27th Council meeting. He feels that the Council President and Council member "owe him an apology".

The meeting was adjourned to an executive session at 8:10 PM.

The meeting was reconvened at 9:30 PM, and with no further business, moved Mr. Schindel, seconded Mr. Heyser to adjourn the meeting at 9:30 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary