

**BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
SPECIAL JOINT MEETING WITH
GETTYSBURG BOROUGH PLANNING COMMISSION
COUNCIL MEETING MINUTES
JANUARY 9, 2017**

President Robert Krummerich called the meeting to order at 7:00 PM with the following Councilors present: Vice President Scot Pitzer, Mrs. Susan Naugle, Mr. Jacob Schindel, Mr. Graham Weaver, Mr. Wesley Heyser and Mrs. AmyBeth Hodges. Gettysburg Planning Commission members present: Vice Chairman Martin Jolin, Charles Strauss, Peter Smith and Michael Shestok. Borough staff present included: Mayor Theodore Streeter; Manger Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James; Planning Director Becky LaBarre; Parking Manager Karen Mesher; Public Works Director Dan Hilliard and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Darlene Brown, Executive Director, PA Interfaith Community Programs, Inc. (PICPI), 40 East High Street; Andrew Merkel, Assistant Director, Adams County Office of Planning and Development; Sherri Clayton-Williams, Director Adams County Office of Planning and Development; Megan Ziegler, 119 East Middle Street; Judi McGee, 256 Baltimore Street; Steve Hemler, 535 York Street; Stan Clark, 915 Fairview Avenue; Mike Shestok, 264 Baltimore Street; Charles Strauss, 38 West Middle Street; Ron Frenette and Mike Tallen, 811 Johns Avenue; Sarah Kipp, 126 Baltimore Street; Caroline Smith, 34 East Lincoln Avenue; Carol Miller, 47 North Hay Street; and Ted Shaffer, 1320 Granite Station Road, Gettysburg.

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

President Krummerich opened the meeting and said that the purpose of the joint meeting is to hear a presentation by the Adams County Planning and Development Office on the status of the Adams County Joint Comprehensive Plan.

President Krummerich announced an executive session of the Borough Council was conducted immediately following the adjournment of the December 12, 2016 Borough Council meeting consistent with sections 708(a)(1), 708(a)(3), 708(a)(4) and 708(a)(5) of the Sunshine Act.

President Krummerich 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)(4) and 708(a)(5) of the Sunshine Act for the following reasons and purposes: (1) to discuss matters involving the employment, the terms and conditions of employment and the evaluation of performance of current or former Borough employees; (2) to consult with the Borough Manager, the Open Records Officer and the

solicitor relative to the Petition for Review pending in the Court of Common Pleas of Adams County, Pennsylvania, Docket No. 2016-SU-1205; and (3) 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 Mr. Pitzer to approve the minutes of December 12, 2016 Public Hearing, and December 12, 2016 Council Meeting. Motion carried unanimously.

Public Comment:

Stan Clark, 915 Fairview Avenue, said that his Right-to-Know request resulted from a taser incident in May of 2015. He believes that the police officers were dismissed wrongly. Mr. Clark said that his attorney and solicitor Eastman will try and resolve the appeal with a settlement, and noted not financial.

Solicitor Eastman clarified that the Borough had complied with nine of the ten requests filed by Mr. Clark

Mike Shestok, 264 Baltimore Street, thanked the Public Works Department for clearing the streets in a timely manner during the snow and ice recently.

Charles Strauss, 38 West Middle Street, asked why there is a blank space in the Planning Commission appointment on the agenda.

President Krummerich responded that two applications were submitted for the opening, and that Borough Council will make the appointment later in tonight's meeting naming one of them.

Special Presentations:

Award

Mayor Streeter presented Ted Shaffer with a Civilian Medal of Appreciation Award for assisting police with the arrest of a vehicle theft suspect. He said that Officer Shannon Hilliard nominated him for the award, which was issued by the American Police Hall of Fame and Museum.

Comprehensive Plan

Manager Gable announced that the joint meeting is to hear a presentation by the Adams County Office of Planning and Development regarding the Joint Comprehensive Plan, between the Borough, Cumberland Township and Straban Township. He said that this marks the beginning of a dialogue for Council to express what zoning changes they would like to pursue, such as the LERTA program.

Andrew Merkel, Assistant Director, Adams County Office of Planning and Development, gave an update on the status of the Adams County Joint Comprehensive Plan (ACJCP). He said that the ACJCP process had begun in 2013, and has focused on defining areas where growth should be encouraged. Mr. Merkel said that the County would help municipalities if needed.

At this time Council Members and the Planning Commissioners discussed the importance of the Comprehensive Plan.

Public Comment:

Sarah Kipp, 126 Baltimore Street, encouraged everyone to review the County Website for more plans and to see the impact of growth for all municipalities.

At this time the Planning Commission adjourned its portion of the meeting and Borough Council continued with its business meeting.

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

Moved Mr. Schindel, seconded Mr. Heyser to approve and authorize the Borough of Gettysburg to enter into an Agreement with Steinwehr Avenue, Heart of Gettysburg Battlefield Neighborhood Improvement District relative to the District's agreement to reimburse and pay to the Borough the amount of \$27,731.20 as the District's share of the Borough's total PIB loan obligation; and further authorize Robert L. Krummerich, Borough Council President and Sara L. Stull, Borough Secretary to execute the Agreement on behalf of the Borough. Motion carried unanimously.

Planning Director LaBarre reported that the recycling report letters were mailed to businesses, and are slowly coming in. She said that the report is due by January 15th.

Moved Mr. Pitzer, seconded Mr. Schindel to approve and authorize the issuance of a Certificate of Appropriateness for item C (COA-16-78, 44 York Street), as set forth in the minutes of the December 21, 2016, meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Councilwoman AmyBeth Hodges recused herself from the vote stating that she is the owner of this property. Motion carried 6 YEA and 1 Abstained.

Moved Mr. Pitzer, seconded Mrs. Hodges to approve and authorize the issuance of Certificates of Appropriateness for item B (COA-16-77, 789 Baltimore Street) and item D (COA-16-80, 38 East Middle Street), as set forth in the minutes of the December 21, 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. Heyser, seconded Mr. Pitzer to enact and ordinance amending Chapter 15 of the Borough Code of Ordinances relative to parking of motor vehicles for the purposes of setting and increasing fines for parking violations and repealing the reduced fine payment provisions. YEA: Mr. Heyser, Mrs. Hodges, Mr. Schindel, Mr. Pitzer, Mr. Weaver and Mr. Krummerich. NAY: Mrs. Naugle. The vote passed 6/1.

Public Works Director Hilliard announced that they will be collecting Christmas trees throughout the month of January. He said that trees can also be dropped off at the Gettysburg Recreation Park on Long Lane. Mr. Hilliard said that mulch will be available to the public once the trees are chipped.

Borough Engineer Chad Clabaugh reported that work has begun on Carlisle Street and Broadway to replace the storm sewers.

Chief Dougherty reported that he completed successful background investigations for Kevin McDonald and Jeffrey Carey who will begin part-time work this week.

Moved Mr. Schindel, seconded Mr. Pitzer amending the Non-Uniform Labor Contract between Teamsters Local 776 and the Borough of Gettysburg to include the Memorandum of Understanding, regarding the creation of a new employment category, for the duration of the current contract which will expire on December 31, 2017. Motion carried unanimously.

Liaison Reports:

Gettysburg Area Recreation Authority

Councilman Schindel reported that GARA did not meet in December. He said that they plan to meet with Straban Township to discuss opportunities of working together.

Gettysburg Municipal Authority

Councilwoman Naugle reported that GMA approved the request by Gettysburg College request to act as a conduit for them to access low municipal bond rates. The bond is for renovations to be completed at the College. She also said that GMA approved the budget with a 5% increase for water but no rate increase for the sewer. Councilwoman Naugle reported that the Long Lane sewer repair project has begun and should be completed by spring. The street may need to be closed during the day but would reopen at night.

Main Street Gettysburg

Moved Mr. Schindel, seconded Mrs. Naugle to ratify and extend the Memorandum of Understanding with Main Street Gettysburg through calendar year 2017. Motion carried unanimously.

Councilman Weaver announced that the next Adams County Boroughs Association meeting is scheduled for January 16, 2017.

Mr. Pitzer, seconded Mr. Heyser to adopt a resolution appointing Roger Goodacre as a member of the Zoning Hearing Board for a five-year term, commencing in January 2017 and expiring on the first Monday in January 2022. Motion carried unanimously.

Moved Mr. Schindel, seconded Mrs. Naugle to adopt a resolution appointing Conor Brooks as an alternate member of the Zoning Hearing Board for a three-year term, commencing in January 2017 and expiring on the first Monday in January 2020. Motion carried unanimously.

Moved Mr. Pitzer, seconded Mrs. Naugle to adopt a resolution appointing Timothy Good as a member of the Board of the Gettysburg Municipal Authority for a five-year term, commencing in January 2017 and expiring on the first Monday of January 2022. Motion carried unanimously.

At this time both applicants for the Planning Commission seat were asked to introduce themselves.

Sarah Kipp said that she has lived in Gettysburg for the past seven years. She works for the Adams County Land Conservancy and has also served on the Gettysburg Borough Planning Commission. Mrs. Kipp said that planning is very important to her, and that she would like to serve on this Board again.

Caroline Smith said that she is a county native and a retired businesswoman. She has served on the Boards of the Chamber of Commerce and the Rotary Club, and was a former member of Borough Council serving on the Finance and Community Development Committees. Mrs. Smith said that she feels that she could contribute to the Planning Commission.

Moved Mr. Heyser, seconded Mrs. Hodges to appoint Caroline Smith as a member of the Gettysburg Borough Planning Commission for a four-year term expiring on the first Monday in January 2021. YEA: Mr. Heyser, Mrs. Hodges, Mr. Pitzer, Mr. Weaver and Mr. Krummerich. NAY: Mrs. Naugle and Mr. Schindel. The vote passed 5/2.

Public Comment:

Mike Shestok, 264 Baltimore Street said that he hopes that Council will attend two upcoming meetings. He said that Destination Gettysburg is holding a seminar on the Pillow Tax and that an Economic Development meeting is scheduled at Ski Liberty. Councilman Pitzer said that he would be attending the Economic Development meeting.

Charles Strauss, 38 West Middle Street commented that Radcliffe Schultz served over twenty-years on the Planning Commission and will be missed. He also addressed his concern about Council deliberations, and said that the votes are difficult to follow since they are using a different version of Roberts Rules of Order.

Carol Miller, 47 North Hay Street expressed her concern over the numerous frivolous public records request by certain citizens. She said that they are a means of harassing, bullying and intimidating the employees and citizens; and that the taxpayers must pay for these mounting legal bills for all of the requests. Mrs. Miller also said that the disorderly conduct of these meetings should not be tolerated by Council.

Stan Clark, 915 Fairview Avenue expressed his concern about the public records requests and read some of the emails that he had requested between Manager Gable and former Interim Manager Peter Marshall. He said that the manager shouldn't be sharing confidential information with Mr. Marshall.

Councilwoman Naugle suggested that the Planning Commission present a list of items to Council that they feel should be changed in both the Zoning Ordinance and the Subdivision and Land Development Ordinance SALDO.

President Krummerich adjourned the meeting at 9:25 PM to an executive session. The meeting reconvened and with no further business, moved Mr. Weaver seconded Mr. Pitzer to adjourn the meeting at 11:00 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary