

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
JULY 10, 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. Graham Weaver, Mr. Jacob Schindel, Mr. Wesley Heyser and Mrs. AmyBeth Hodges. Borough staff present included: Mayor Theodore Streeter; Borough Manager Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Planning Director Becky LaBarre; Finance Director Nicolette James; Parking Manager Karen Mesher; Public Works Director Dan Hilliard and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Staff members, Detective Dennis Bevenour, Receptionist Shirley McCleaf and Parking Enforcement Officer Bill Gardner; Deb Adamik, President, Main Street Gettysburg; Darlene Brown, Executive Director, PA Interfaith Community Programs, Inc. (PICPI), 40 East High Street; William Baldwin, representing Gettysburg College; Kathy Reid, Reid's Winery, 400 Baltimore Street; Charles Strauss, 38 West Middle Street; Judith Butterfield, 999 Sunset Avenue; Sarah Kipp, 126 Baltimore Street; Chris Berger, 156 Seminary Avenue; Tim Woodward, 102 Baltimore Street; Judi McGee, 256 Baltimore Street; Kurt and Nancy Kramer; 12 Wade Avenue; Philip Goble, 132 East Middle Street; Mike Shestok, 264 Baltimore Street; Ted McPherson, 150 Carlisle Street; Wendy Allen, 329 Baltimore Street; Steve Hemler, 535 York Street; William Little, 239 Washington Street; and D. Rawlings, 5 South Washington Street.

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

President Krummerich explained the borough is facing the MS4 federal mandate to remediate pollution harming the Chesapeake Bay by concentrating on improving ground water runoff. He stated that council has been aware of this potential expense and floated a bond to in large part pay for capital improvements that would lower the borough's MS4 obligations. Mr. Krummerich further stated that council had timed the markets to achieve the lowest interest rates available since 1956 and had council waited, the subsequent rise in interest rates would have either greatly increased the cost of borrowing or lowered the amount that could be borrowed. Mr. Krummerich further reminded council that other municipalities that ignored MS4 requirements are paying hundreds of thousands of dollars in fines. Mr. Krummerich added that the bond will not cover the totality of the MS4 requirements and council members and staffs are working to together to find creative solutions. Mr. Krummerich added at least one council member did not agree with these statements.

President Krummerich announced an executive session of the Borough Council shall be conducted immediately following the adjournment of this meeting consistent with section 708(a)(2) of the Sunshine Act in order to meet with the Borough Manager regarding

information, strategy and a progress report related to the negotiation of a new collective bargaining agreement with the Teamsters Local No. 776 on behalf of the officers of the Gettysburg Borough Police Department.

Moved Mr. Pitzer, seconded Mr. Schindel to approve the July 10, 2017 agenda as presented. Motion carried unanimously.

Moved Mr. Schindel, seconded Mr. Pitzer to approve the June 12, 2017 Council Business Meeting minutes and the June 26, 2017 Council Work Session minutes after making a verbiage change. Motion carried unanimously.

Public Comment:

Mike Shestok, 264 Baltimore Street, said that he felt the MS4 presentation was very good with lots of information. He noted that this is an important project that needs to be funded. Mr. Shestok also encouraged anyone along Baltimore Street to attend the upcoming Baltimore Street Committee meeting. Mr. Shestok also addressed the weeds around town that need to be taken care of.

Philip Goble, 132 East Middle Street, addressed Council in regards to the police settlements and asked why there were no executive sessions held prior to settling these claims. He also expressed concerns regarding an open container ordinance stating that this would not be good for the Borough. Mr. Goble also expressed his concern regarding the MS4 requirement and funding it. He would like to see what was identified in the bond pertaining to the MS4.

Councilman Schindel responded to Mr. Goble stating that Council did conduct numerous executive sessions relating to the police settlements, and that they are reported at the Council meetings when they occur. He also pointed out that the Borough currently has an open container ordinance, and that his intention is not to repeal it, but rather review it. Councilman Schindel pointed out that Manager Gable did provide Council with an outline of priority projects in the Capital Improvement Plan.

Steve Hemler, 535 York Street, expressed his concerns why the Moose Lodge has not received their building permit yet. He said that he addressed Council at a previous meeting that the permitting process needs to be streamlined. Mr. Hemler said that he was in contact with the planning director and also with PA Municipal Code Alliance, who said that they received the application on June 26th. He then asked why it laid on the planning department desk for three weeks. Mr. Hemler threatened that if he didn't receive the permit within five days he would contact his attorney to file charges against the Borough.

Planning Director LaBarre addressed Mr. Helmer's concerns, and gave a detailed outline for the permit processing timeline in regards to the Gettysburg Moose Lodge, 414 York Street application (see attached).

Special Presentations:

Baltimore Street Historic Pathway Revitalization Project

Deb Adamik, President, Main Street Gettysburg, addressed Council and said that the revitalization project plan is to connect Steinwehr Avenue to Baltimore Street and Lincoln Square.

Tim Woodward, Elaine Henderson and Wendy Allen – Baltimore Street Redevelopment Steering Committee Members, gave a presentation outlining the community goals and objectives. Some of these include: additional lighting, additional parking and kiosks, intermodal transportation, safer sidewalks and crosswalks. They will create a Master Plan for the Baltimore Street District later this year. The committee will then look for grant and private money to complete the project

Councilman Pitzer asked if Baltimore Street was planning to form a Business District such as Steinwehr Avenue. Mr. Woodward responded that they haven't discussed this yet.

New Borough Website

Manager Charles Gable – Introduction of New Borough Website, previewed the new Borough Website that will go live tonight. The new site is www.gettysburgpa.gov. He acknowledged staff members Detective Dennis Bevenour, Sara Stull, Shirley McCleaf and Bill Gardner who worked tirelessly for the last year and a half to maximize transparency, interactivity, and user-friendliness. He also thanked Judith Butterfield who also served on the committee, and also was the volunteer who maintained the Borough's old website.

Detective Bevenour pointed out the wide variety of information posted in the police department's section of the Website. Some of the items include: policies, forms, crime prevention and a guide about what to do when stopped by an officer.

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

Councilwoman Hodges noted that the \$40,000 paid to Police Officer Brandi Courtesis was an unbudgeted item. She said that this was not part of the insurance settlement and would be paid through taxpayers. Councilwoman Hodges also noted that the part-time police officers budget is approximately 35% higher due to them working for the full-time officers that are out on administrative leave. She wanted to make the public aware of these items.

Planning Director LaBarre announced that tomorrow is the deadline to receive comments for the comprehensive plan.

Councilwoman Hodges asked what the 29 illegal signs were reported in the code enforcement officers report. Planning Director LaBarre responded that the report was just submitted today and that she would be following up with CEO Scot Weaver to review these items. She would report the findings back to Borough Council.

Councilman Pitzer said that Council must have a quorum before a Councilor can phone-in to participate in a meeting, and asked if the Planning Commission requirements are the same. Solicitor Eastman responded that pursuant to the Borough Code, it requires that a quorum is present before someone can participate via telecommunications at a Council meeting. He pointed out that only Council could use telecommunications and that it doesn't apply to the Planning Commission.

Moved Mr. Schindel, seconded Mr. Pitzer to accept recommendations by the Gettysburg Historical Architectural Review Board (HARB) made following its review on Wednesday June 21, 2017 and grant a Certificate of Appropriateness for the following applications as submitted: COA-17-0048, Mike LeGay – 33 South Street, COA-17-0065, Crossfit Gettysburg, LLC – 123 W. High Street, COA-17-0066, Waldo's & Company (Chris Lauer) – 11 Chambersburg Street, COA-17-0068, Daniel & Elizabeth Fetter – 142 E. Middle Street, and COA-17-0069, Woodrow & Sara Little – 239 S. Washington Street. Motion carried unanimously.

Parking Manager Mesher welcomed Sandy Penesse and Manda Eger, two part time/seasonal Parking Enforcement Officers that started recently. She also thanked Becka Fissel and Bill Gardner for helping to fill in while Dave Reese is out on medical leave.

Chad Clabaugh announced that the construction on Washington Street began today and should be completed by the end of August.

Moved Mr. Schindel, seconded Mrs. Naugle to approve the application for payment #1/final for the 2017 CDBG Curb Ramp project in the amount of \$121,808.00 payable to Carbaugh Concrete Inc. Motion carried unanimously.

Moved Mr. Schindel, seconded Mrs. Naugle to authorize the Borough Engineer to advertise the 2017 Pollution Reduction Plan for the MS4 Permit. Motion carried unanimously

Chief Dougherty reported that the "Burn the Flag Event" that took place on National Park Service property on July 1 was uneventful. He pointed out that his department worked closely with federal, state and local agencies for a month prior to the event, and were well prepared if anything should happen. Chief Dougherty also reported that bike week went well and there were no reports of loud noise.

Councilman Pitzer addressed the part-time police budget noting that \$60,000 has been used of the \$80,000 budgeted. He said that this has been an issue for years, and that Council should review and make a plan moving forward as what type of police department

is needed. Councilwoman Naugle pointed out that only 38% of the overall total budget was used, so overall the police department is still on target.

Mayor Streeter noted that there has been personnel turn-over due to part-timers leaving for full-time employment elsewhere. He said that Council needs to consider hiring two more full-time officers to have a better efficient police department.

Moved Mr. Schindel, seconded Mr. Pitzer to authorize a COLA increase for retired police pensioner Walter Gliem, to be paid from the Police Pension Plan effective June 1, 2017. Motion carried unanimously

Moved Mr. Schindel, seconded Mr. Pitzer to authorize a COLA increase for retired police pensioner William Laughman, to be paid from the Police Pension Plan effective June 1, 2017. Motion carried unanimously

Manager Reports:

Manager Gable announced that staff will begin hosting a monthly “Coffee and Conversation” with Borough Staff event. The first is scheduled for July 27 at 9:00 AM at the Ragged Edge Coffee House. He said that future events will take place at various locations and will be announced. Manager Gable encouraged citizens to attend and meet the staff.

Moved Mr. Weaver, seconded Mr. Schindel to adopt a Resolution Opposing Elimination of the Community Development Block Grant Program (CDBG). Motion carried unanimously.

Liaison Reports:

Gettysburg Area Recreation Authority

Councilman Schindel thanked the public works department for their help with transporting the stagecoach to be refurbished. The stagecoach which has been at the Rec Park for longer than anyone remembers, was re-dedicated at the GARA meeting in June. He also reported that the Kiwanis Club will be replacing the old playground set, and the Optimist Club purchased 90 skateboard safety helmets to be handed out to local skateboarders.

Gettysburg Municipal Authority

Councilwoman Naugle reported items from the GMA Board meeting included:

- Auditors were present to provide the 2016 audit findings. GMA received an unqualified audit with no findings. The audit did result in an update in actuaries for the GMA pension fund and the fund is at 85.6% of fully funded.
- Finalized an agreement with Gettysburg College for the lease of a well owned by GMA along Carlisle Street. The water is not potable and the well has not been

connected to the GMA system. The college is paying all costs to upgrade the pump and will use the water (subject to limitations) to irrigate the soccer fields.

- As reported at prior meetings, the DEP cited GMA for exceeding the rating of the sewer plant for the amount of organic solids coming into the plant on two occasions in 2014 and 2015. GMA was unable to determine a source but notes that the plant was able to handle the excess amount and keep outputs within acceptable levels. The problem did not occur in 2016 so one guess is that it was corrected with the completion of the interceptor project. The limits were based on estimates when the plant was built so GMA's engineering firm had the capacity of the plant reviewed and, as a result, has requested that DEP raise (re-rate the plant) the amount of organic solids that can come into the plant.
- GMA has officially added N. Stratton Street as a capital project in 2018. They will replace a water main at an estimated cost of \$212,000. Funds for this will likely come from some new borrowing that will also fund the construction of two new water tanks. GMA will join Columbia Gas and the Borough on this project.

Elm Street

Darlene Brown announced that the Olde Getty Place "National Night Out Event" is scheduled for Tuesday, August 1st from 5:30-8:00 PM.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Hodges reported that the next meeting of SAHGB is scheduled for Thursday, July 13.

Elected Official's Comments:

Mayor Streeter said "kudos" to Deb Adamik, President, Main Street Gettysburg, and all the committees for their efforts with the Baltimore Street Revitalization project. He said that this will be great for the Borough and the community.

Public Comments:

Mike Shestok, 264 Baltimore Street, also acknowledged Deb Adamik for all the hard work she does, and the time involved with the Baltimore Street Revitalization project. He also addressed the middle school parking lot stating that the garbage piles up, and may cause problems in the storm drains. Mr. Shestok also said that some of the storm drains need to be checked because he noticed that some are crooked and may need repairs.

Philip Goble, 132 East Middle Street, addressed Council about a few items. He said that Council will need to take in to consideration when reviewing the open container ordinance, noting that the underage drinking college students know when to hide alcohol. Mr. Goble complimented Planning Director LaBarre for doing a great job. He said that he serves on HARB, and pointed out that she is well prepared for the meetings, and that the Board members are well informed of items on the agenda prior to the meetings. Mr. Goble

said that he attends many Council meetings, and said that he is disappointed with members of Council and audience members arguing. He said that the Council President should remove citizens when they become unruly because it's not comfortable sitting in the audience when these outburst occur.

Darlene Brown, Executive Director, PA Interfaith Community Programs, Inc. (PICPI), 40 East High Street, asked Manager Gable to consider changing the time from 9:00 AM to 9:30AM for the "Coffee and Conversation" events, due to other meeting those mornings that would overlap.

Judi McGee, 256 Baltimore Street, thanked Chief Dougherty and the police officers for the planning and preparation to keep Gettysburg safe during the "Burn the Flag Event" that took place on National Park Service property. She said that it was money well spent to plan for such a difficult event.

Kathy Reid, Reid's Winery, 400 Baltimore Street, said that she is a member of the Baltimore Street Revitalization Committee, and noted that they are looking at other towns to develop plans to better Baltimore Street. She said that it will take lots of research to see what is best for Gettysburg, and is looking forward to developing a plan. Ms. Reid also noted the middle school parking spaces are always full behind her business, and said that it would be wise for the Borough to develop a parking agreement with the school district.

Moved Mrs. Naugle, seconded Mr. Pitzer to adjourn the meeting at 9:30 PM to an executive session. Motion carried unanimously.

President Krummerich dismissed the meeting at 10:30 PM.

Respectfully submitted,



Sara L. Stull
Borough Secretary

Permit Processing Timeline for LU-17-0080, 414 York Street – Gettysburg Moose Lodge 1526

Prepared by Becky LaBarre, Director of Planning & Historic Preservation 7/10/2017

5/1/2017 Land Use permit application submitted, assigned number LU-17-0080

5/3/2017 Certificate of Appropriateness application #COA-17-0047 submitted

5/17/ 2017 HARB votes to recommend approval of Certificate of Appropriateness application #COA-17-0047

5/24/2017 Land Use Permit #LU-17-0080 issued for change of use and erection of 10'-7" freestanding sign, with Certificate of Appropriateness #COA-17-0062 and Sign Permit #S-17-0049 approved administratively

6/4/2017 Commercial Building permit Application submitted

6/12/2017 Council votes to approve Certificate of Appropriateness application #COA-17-0047 for exterior alterations to 414 York Street (*Becky is out of town at conferences 6/12-6/16*)

6/19-6/23/2017 *Becky catching up on work from being out for a week*

6/21/2017 Mr. Hemler emails to check on status

6/23/2017 Land Use Permit #LU-17-0080 is updated and re-issued to reflect Council approval of application #COA-17-0047; revised placard and application materials sent to PA Municipal Code Alliance electronically

6/26/2017 Evening - Scott Weaver couriers hard copy of application materials and revised permit placard to PMCA drop box in New Oxford; received by Sharon Hamm receives it and takes to Chambersburg office for processing

7/7/2017 Steve Hemler emails to check on status

7/7/2017 Becky replies and copies PMCA

7/10/2017 Mr. Hemler calls to check on status, threatens that if they are not received today he will call attorney

Becky checks in with PMCA and is told UCC permit is in process, expected delivery is end of this week or early next week; calls Mr. Hemler, leaves message with assistant at R&S Service Center

Hemler calls back and when Becky reports she is told by PMCA what she says is "bullshit" and is threatened that she should be fired "with the rest of them"; continues to loudly announces he will speak before Council regarding the matter and that she "better get ready"