

COUNCIL MEETING OF APRIL 5, 2010
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CALL TO ORDER

The regular meeting of the Bellefonte Borough Council was called to order at 8:00 p.m. by Council President Frank Halderman in the Bellefonte Borough Municipal Building.

Pledge of Allegiance:

Following the Pledge of Allegiance, Council remained standing for a moment of silence to remember Richard Ulrich who passed away.

ROLL CALL

Members Present: Dainty, Taylor, Hay, Novak, Beigle, DeCusati, Dunne, Halderman

Members Excused: Wilson (present by telephone at a later point in the meeting)

Officials Present: Ralph Stewart, Borough Manager
Don Holderman, Assistant Borough Manager
Mayor Stanley Goldman

Staff Present: Lori Walker, Finance Director

Guests: Jack Lafond

APPROVAL OF MINUTES

Mr. Beigle made a motion to approve the minutes of the Bellefonte Borough Council meeting of March 15, 2010. MS. Dunne seconded the motion. A voice vote was unanimous to approve the minutes as presented.

COMMUNICATIONS

WRITTEN

- A letter from Denise Herr McCann, Division Director, Community Based Programs, Centre County Youth Service Bureau, thanking Bellefonte Borough Council for their support of the Bellefonte Youth Center.

- A letter from Tom Mesko, Executive Director, Habitat for Humanity of Greater Centre County, requesting permission to conduct their annual HouseWalk on Sunday, May 2, 2010. The walk will begin at the Faith United Methodist Church at 2:00 PM and follow the route of East Bishop Street, South Allegheny Street, West High Street, Dunlop Street, West

Lamb Street, North Spring Street, West Linn Street, North Monroe Street, North McAllister Street, East Bishop Street and back to Faith United Methodist Church.

Ms. Dainty made a motion to approve the annual Habitat for Humanity HouseWalk on Sunday, May 2, 2010. Mrs. Dunne seconded the motion. There will be no changes to the sidewalk or road with this walk. A voice vote was unanimous.

- A letter from Mrs. Kim Gasper, BAHS Cross-Country Coach, requesting permission to hold Herbie's Hometown Loop 4 mile run/walk and bike ride on Saturday, August 15th, 2010.

Ms. Dainty made a motion to approve this event with no restrictions. Mr. Beigle seconded the motion. Mr. DeCusati would like restrictions added that would prohibit any painting of the streets or sidewalks for this event. Ms. Dainty feels the marks are useful, in good taste and friendly. Mr. Halderman noted that the Streets Committee does not feel the marks are in good taste and they should only be permitted if they are made in washable paint. Mr. Beigle withdrew his second and Mr. Taylor seconded the motion. The motion was denied.

Mr. Beigle made a motion to approve the event with the use of washable paint. Mr. DeCusati seconded the motion. The motion was passed with Ms. Dainty voting no.

- CATA will hold a Public Hearing on Monday, April 26, 2010, regarding proposed fare increases.

- Two letters from Patrick McCool, Chairperson, Bellefonte Cruise, requesting permission to hang a banner over High Street between Spring and Water Streets to promote the car show. The letter also includes the request for various street closings for the 22nd annual Bellefonte Cruise and Car Show to be held June 18th and 19th, 2010.

Ms. Dainty made a motion to permit the Bellefonte Cruise events June 18th and 19th, 2010 and also to erect a banner advertising the car show as requested. Mrs. Dunne seconded the motion. A voice vote was unanimous.

- A grant award letter from the Pennsylvania Historical Museum Commission stating Bellefonte Borough received a grant in the amount of \$15,000 for the Historic Preservation position and project. Mr. Stewart thanked Mr. Holderman for his work in putting the application together.

- A letter from Bruce Hutchinson regarding a Tai Chi training event. The request is for the use of Talleyrand Park on Saturday, April 24th, 2010, for approximately 10-15 people to participate in a national Tai Chi event.

Ms. Dainty made a motion to allow the Tai Chi group the use of Talleyrand Park. Mr. Beigle seconded the motion. A voice vote was unanimous.

- Ms. Dainty would like Council members to respond to the Centre Clearfield dinner that will be held on Thursday, April 22, 2010. Bellefonte is the host of the dinner and she would like to see all Council members attend the event.

ORAL

- Jack Lafond is the owner of Judge Walker's House Bed & Breakfast on Linn Street.

Mr. Lafond stated it is fascinating to see his Borough government at work. Mr. Lafond received a notice from the zoning department regarding length of stay per guest, article 18, section 8. The length of stay per guest is 14 consecutive days and 45 total days in any 12-month period. He feels a Bed & Breakfast needs longer periods of time to stay. The niche is that he receives calls from Penn State where visiting professors or graduate students have difficulty finding a lease for less than a year, but cannot stay in a B&B for more than 14 days. He stated there is no definition for boarding house or rooming house.

Mr. Stewart stated if Council is interested in doing an amendment they would draft it or take the idea to the Planning Commission for a review and change consideration. That would then come back before Council. If Council says no then Mr. Lafond would seek a variance from the Zoning Hearing Board and Council would then have no say in the situation. Mr. Lafond stated with a B&B he cooks breakfast. If a longer stay is granted then a Continental Breakfast would be served and there would be no cooking in the rooms. Most of the guests choose to eat out in Bellefonte and shop in the local stores. Council will discuss this matter in a work session.

- Mr. Stewart reminded Council Members and Mayor Goldman that the Charlie Company parade will be held Saturday, April 10, 2010. If any members are interested in riding in the parade they need to inform Gary and provide their own vehicle. He is especially interested in having the Mayor ride in the parade.

SPECIAL COMMITTEE REPORTS

- Mr. DeCusati participated in his first meeting with the Centre County Metropolitan Planning Organization (CCMPO). Bellefonte Borough is a non-voting member. They are covering projects such as the I99 connection intersector, which is currently on hold because the state does not have the money to proceed with it. They are planning to move ahead with the project for lighting in front of the APS.

- Mr. Beigle attended an airport meeting and there are two airlines that have expressed interested in flying out of the University Park Airport. One flight would be to Chicago.

- Mr. Holderman, on behalf of Mr. Wilson, reported there was a Fire Executive Committee meeting on March 25, 2010. The fire department had an outstanding training session at the Bellefonte Middle School. Discussions continued on the policy for physicals for departmental personnel.

MAYOR'S REPORT

- Mayor Goldman had nothing to report.

OFFICE OF COMMUNITY AFFAIRS

CERTIFICATES OF APPROPRIATENESS

1) 115 North Allegheny Street/Roger Coy for Big Spring Used Books – install new sign.

- 2) 220 West High Street/Sam Hawbaker – clean brick, repair wood panel over store window, repaint storefronts, 222, 224, and 226 West High Street and 104 South Water Street using the same colors; repaint the steeple black.

Ms. Dainty made a motion to approve both Certificates of Appropriateness. Mrs. Dunne seconded the motion. A voice vote was unanimous.

COMMITTEES

Building & Property – Mrs. Dunne reported on the Planning Commission Meeting minutes for March 29, 2010. She commented that she is concerned that downtown Bellefonte may lose the Northwest Savings Bank office. She reported that there is not good space for a driveway into the property on Parkview Boulevard and Northwest Savings Bank will go before the Zoning Hearing Board to request a variance.

Finance and Government Performance – Ms. Dainty reported there is a Miller Kistler Campbell audit request.

Park & Recreation – Mr. Holderman provided the report for Mr. Taylor. There is a DEP Water obstruction and Encroachment Permit application giving Bellefonte Borough administrative approval for the playground equipment. The technical approval permit must be completed before the playground equipment can be purchased and replaced.

There was a pre-bid meeting for the Talleyrand Park restroom on Thursday, April 1, 2010. There were approximately 6-7 vendors attending the meeting. The comments from Mr. Halderman at the last Council meeting were incorporated into the bid package.

There was a pre-construction meeting on the Talleyrand Park Expansion. Ameron has begun work. The notice to proceed date was March 29, 2010 and the work should be completed by the end of July 2010. When the bills from the project come in they will be kept separately.

Human Resources – Mr. Hay reported there will be an Executive Session following the Council meeting to discuss temporary seasonal help for the Big Spring Wall.

Safety – Mr. Wilson would like Council to consider their position on fire services agreement: whether to have a contract for services or shared services agreement.

Mr. DeCusati made a motion for Council to instruct Bellefonte Borough staff to create a shared service or an authority type of service agreement for the fire protection services. Mrs. Dunne seconded the motion. Mr. Wilson was contacted by telephone and placed on speaker phone. Mr. Beigle questioned whether there was a contract and whether Spring Township was the only municipality there was a problem with. Mr. Stewart reported that there is a draft agreement and there is issue with section 6 regarding the cap that was involved and the length of the contract. Mr. Beigle reported that a lot of Council members are new and are not aware of the various problems throughout time associated with getting things done. He stated there were agreements made and because they were verbal and not signed therefore when a problem arises the other participants back out. Mr. Beigle is leaning toward a contract and trying to get the two issues resolved on the contract. Mr. Beigle would like a contract because he does not want to give up control. Fire service protection has been provided to surrounding townships for many,

many years. It was done very graciously, very fairly and very cheaply. He feels now when the Borough needs help providing this service that these questions are arising. He does feel the two issues could be resolved and then a contract could be made with Spring, Benner, Walker and Marion Townships. Marion Township is ready to sign a contract. Mr. Beigle feels it is in the best interest of Bellefonte Borough citizens to have a contract rather than shared services.

Ms. Dainty stated at the last meeting everyone agreed to do a task force and the focus of the task force was to decide whether a shared services or a contract is best. She still feels that is who needs to make this decision. Spring Township did not want to wait until a task force makes the decision as to what would be best. A task force would involve various citizens who would provide recommendations. Ms. Dainty feels if the other municipalities would agree to the cost sharing formula that agreement could be made and everything else could wait until the task force is finished with their job and makes their recommendations. One of the first jobs of the task force would be to determine whether there would be a fee for service or shared service.

Mr. Halderman is only concerned with satisfying the residents of Bellefonte. He has talked with a lot of people and they want Bellefonte to stay in control of the fire departments. The law states a municipality must provide fire service to their residents.

Mr. Hay questioned whether the citizens of Bellefonte will be hurt if the Borough states they are only going to use that as a tax base and will there be enough protection if the Borough does not draw resources from other communities to help augment the fire department.

Mr. DeCusati also has a fear that if a fee for service contract is approved that the townships will not be happy with it and will do whatever they can to get out of it, reduce their area of service and form a fire service agreement without Bellefonte Borough being included. He fears that the residents of Bellefonte Borough will be stuck shouldering most of the cost over time just to retain control of the fire departments. He is agreeable to allowing a task force to make the decision if that will be their first course of action.

Ms. Dainty feels that by waiting for the task force and by bringing in Walker Township and their fire department you would have everybody and get a better grasp.

Mr. Novak verified that there would be a signed contract for all the municipalities either way.

Mrs. Dunne stated the basis for an assessment as Sue Hannegan laid it out would be the same. She thinks that relationships with townships have changed. Mr. Halderman disagreed with that statement. He stated he has sat in meetings where Spring and Benner Township have agreed with what was going to be done but they do not follow through after the meeting is over. Mr. Beigle agreed and stated with the sewer authority they had to go to an attorney because Benner and Spring Townships did not agree with what was in the agreement. Mr. Beigle is not comfortable with shared services. Mr. Stewart reported that Council has learned a lesson that no matter what the agreement there is it needs to be thorough. Mr. Beigle added it must be to the benefit of the constituents of Bellefonte Borough. Mr. Hay questioned whether it is to the benefit of the people to maintain the fire department with just the Bellefonte residents paying for it. Mr. DeCusati feels if you give the other municipalities a say there would be less conflict. He stated that State College has an authority and they have more resources and are able to cover a bigger area.

Ms. Dainty has heard throughout the process that egos get in the way. She sat on this committee for the last three years and has listened to the agreement that came and at the next meeting went away. She stated it has nothing to do with egos but has a lot to do with trust factors when she is going to sit down with people that say one thing one month and then says

something different almost the next day. In a shared services situation she would still have a hard time with that. She feels you have to be careful sometimes what you wish for. She is not comfortable because of all the things that went on during those meetings.

Mr. Holderman agrees there were a lot of frustrating moments during that period of negotiation but he feels it did lead up to the fact that everybody, including this body and the township municipal supervisors have been meeting, therefore you have different people involved now. He hopes the agreement that ultimately gets worked out will have more credence because of the people involved. He reiterated there is a total body involved that will have the opportunity to negotiate the agreement.

Mr. Stewart stated in Centre Region the COG board is made up of every elected official so they all hear the same information. He believes it is one vote per municipality with thirty elected officials trying to work out the problems as they come up. Mr. Stewart has some concerns about fire department volunteers who getting older and working several jobs. He stated men and women are not joining the fire companies like they used to. One of the biggest tasks to be faced will be recruitment and trying to maintain the volunteer service to keep the taxes as low as they are. Currently Bellefonte has the best deal out there because they are only paying for equipment. For years that equipment has been subsidized by the other municipalities. He is concerned with taking on the loss of the revenue of those other municipalities. It would probably mean doubling or tripling the millage rates in the fire tax area to bring in the amount of money that would be needed. It would be a huge financial hit to the Borough if the other companies find another service. He also is concerned that the Borough would have a hard time recruiting volunteers on its own. He feels it is going to take a regional response to attract volunteers and give them incentives to participate in order to maintain the volunteer fire services.

Mr. Holderman has been attending the Fire Committee Executive Meetings and half of that executive committee is made up of township members. The Logan Fire Department chief lives in Benner Township and some of the other members live in Spring Township.

Mrs. Dunne reported at the last meeting it was discussed as to how the Citizens Task Force might help because of the involvement of the volunteer fire companies and ordinary citizens and they would place more value on the volunteer fire company. To Mrs. Dunne it's almost intuitive that if you have a citizen's task force then you go with shared services.

Mr. DeCusati feels the issue of letting the task force decide whether you have a fee for service or a shared service agreement can still be done if Council is comfortable with that. He reminded them with the estimate of the consultant it will take a year to form that committee and then for them to come back with a recommendation. He also feels Council will also need that timeframe to back the vote of the taskforce. He feels Council needs to determine whether they will abide by whatever the task force recommends.

Mr. Halderman feels volunteer firefighters want to be fire fighters and it won't matter where they volunteer. He does not feel there will be a problem with having volunteers. He feels the only reason there won't be as many volunteers is because of the overall work ethic of today's youth.

Mr. Wilson appreciated the discussion and wants Council to vote. Ms. Dainty requested a voice vote.

The vote was as follows: Wilson-yes; Dainty-no; Taylor-no; Hay-yes; Novak-yes; Beigle-no; DeCusati-yes; Dunne-yes; Halderman-no. The motion passed with a 5-4 vote.

Ms. Dainty made a motion that if they do not move forward with the task force that Bellefonte Borough does not move forward with shared services. Mrs. Dunne seconded the motion. A voice vote was unanimous.

Mr. Stewart reported there will be a facilitator at the April 28, 2010 Fire Service Meeting. They will search for samples of shared service agreements. Mr. Holderman reported there is the option of having the facilitator review the current agreement.

Water/Sanitation – Mr. Beigle had nothing to report.

Mr. Stewart reported there will be a 6:00 PM meeting at the Wastewater Treatment Plant to show the new pump installation that will save energy. There will also be discussion regarding the activated sludge tanks. Following the demonstration there will be an Authority meeting at 7:00 PM.

On SR#550 on South Water Street Columbia Gas has a project that involves Borough water lines. The water crew will be there while the work is done. After that project is completed they will do a small piece of gas line work between Linn Street and Curtin Street. Most of that work will be done in the gas strip between the sidewalk and curb.

Mr. Holderman reported that staff will be meeting with SEDA-COG to discuss an automated payment system for the water server.

Streets – Mr. DeCusati that the Sidewalk Committee met and reviewed key provisions for a revised sidewalk ordinance. It will include elements such as the Borough will once a year put up for bid the contractors to do the work; the Borough will then select a contractor and do any of the projects regarding sidewalks. The benefit would be to get a uniform sidewalk throughout the Borough. The resident would then be billed for half the cost and the Borough would pay the other half of the cost. There was no money budgeted this year for the cost-sharing of sidewalks. Mayor Goldman does not want to wait a year for this project to start. Mr. DeCusati stated there was money in the budget for either streets or curb work.

Notification was received from the state regarding Parkview Boulevard and Zion Road to make it a single intersection with Airport Road. The state initially said it would be too expensive to do that. Now they are reconsidering the project.

Mr. Stewart reported that the flashing light for the intersection of Howard and Wilson Street is under contract with Nittany to do the engineering work for the application to go to PennDOT. The Borough crew will paint a crosswalk across Howard Street and install pedestrian signs. If you paint a crosswalk at an intersection you do not need approval from PennDOT.

Chief Weaver gave a presentation regarding Mrs. Kennedy's complaint of loud vehicles on Thomas Street. She provided a website that has various options for dealing with those types of noise problems. Mr. DeCusati made a motion to have a sign posted near Mrs. Kennedy's house on Thomas Street, or where it is appropriate, to remind motorcycles to keep the noise down if the resident is willing to pay for the sign. Mr. Novak seconded the motion. Mrs. Dainty reminded Council if this is done for this person it will need to be done for other people and then you will have a town full of signs. Mr. Stewart reported there have been situations where the property owner was asked to pay for the sign. Mayor Goldman questioned why she is the only person to hear this noise when there are many residents on the street. The motion was passed.

The street sweeper has been running on the streets. The pedestrian signs are out. When the street sweeper has finished the crew will repaint various crosswalks. Council members commended the crew for the fine job they are doing.

Mr. Stewart reported there was two days for picking up leaves and brush, but Council members reported that many residents were not aware of that. Mr. Stewart will try to notify the residents of a new collection date.

Mr. Hay was contacted by residents being awakened by the street sweeper at 4:00 AM. The sweeper goes that early because that is when the least amount of vehicles are on the street.

Energy & Environmental Conservation – Mr. Novak and Mr. Stewart had a meeting. Mr. Novak made a motion to move forward with an RFP to do a feasibility study and to hire a consultant. Mr. Novak seconded the motion. The RFP is typically paid for through grants. Ms. Dainty and Mr. Halderman do not want this project to cost the Borough any money. A voice vote was unanimous.

OLD BUSINESS

- There are some personnel issues that will be discussed in an Executive session following the Council meeting.
- If any Council members are interested in be in the parade for Charlie Company on Saturday, April 10th, they should contact Mr. Stewart.
- Mr. Holderman informed Council that the dedication for the name change at the Teener League Field to John Montgomery Ward Lane is tentatively scheduled for Saturday, May 1st, at 2:00 PM.

NEW BUSINESS

- Under the Water System is a new regulation that will take effect in May 2010 title Public Notification that when a water system has negative pressure where possible contaminants can get inside the pipeline and work its way into the water system and cause contamination there are requirements that the water system operator must notify the public within 24 hours and depending on the severity of the event they must contact DEP within one hour, and let them know what is happening. After the event is over notification to the public must go out again informing them that the event has been resolved. There are other tier levels of events where the notification is not as great but must still be taken care of. Everything is documented and is very serious. There are only a couple options that would work to satisfy the new regulation. One option is a reverse 911 system. Another option is going door-to-door with door hangers, but if it is a major water system event this would be difficult to do. Mr. Stewart suggests signing up for minimum services and pay as the service is used. The cost is so much for call. It would take the implementation of the billing system information being put into the system as well as gathering the telephone numbers. The system uses telephone, email, text messages, etc. A lot of municipalities are using this system for things such as holiday schedule changes, leaf pick-up schedules, etc. One Borough used the system to call elderly people to check on them. The unlimited service is expensive, but not as expensive as C-NET. You are charged for the phone call, but you are not charged for emails. The initial start-up cost is \$120.00. The annual subscription rate is \$1,200.00 based on a 3,000 member water meter system. It charges \$.10 per

call. The total cost per year is estimated at \$1,320.00 as a base fee. Customers cannot be taken off the list if they do not like the phone calls because of liability.

- A consultant explored electricity rates for street lighting. They have found a fixed rate that is good for three years and begins in May 2010. Mr. Beigle is concerned because the contract states one year rather than three years. The rate for the contract is 6.7, which is the current rate, but the advantage is that it locks in the rate for three years. Council members are willing to try this for one year. The Borough solicitor will be asked to review the contract.

ADJOURNMENT

- With no other business to come before Council Mr. Beigle made a motion to adjourn the meeting of April 5, 2010 at 9:41 PM. Ms. Dainty seconded the motion. A voice vote was unanimous.