

**COUNCIL MEETING OF FEBRUARY 7, 2011**  
[www.bellefonte.net](http://www.bellefonte.net)

**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.

**ROLL CALL**

Members Present: Halderman, Wilson, Dainty, Taylor, Schneider, Provan, Beigle, DeCusati, Dunne,

Members Excused:

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

Staff Present:

Guests:

**APPROVAL OF MINUTES**

Mrs. Dunne made a motion to approve the minutes of the Bellefonte Borough Council meeting of January 17, 2011. Mr. Provan seconded the motion. A voice vote was unanimous to approve the minutes as corrected.

**COMMUNICATIONS**

**WRITTEN**

- An email from Sarah J. Wetzel, President, Unit 33 Ladies Auxiliary, Bellefonte American Legion requesting the use of Talleyrand Park on Sunday, April 17, 2011 with a rain/snow date of Saturday, April 23, 2011 for a children's Easter egg hunt from 10:00 AM to 5:00 PM. The request also is to reserve the park for the Sunday before Easter with a rain date of the day before Easter on a permanent basis. The request also includes pony rides on the day of the egg hunt.

Mr. Schneider made a motion to approve the request for the use of Talleyrand Park April 17, 2011 with a rain date of April 23, 2011. Mr. Taylor seconded the motion. The organization will need to come back before Council on a yearly basis. A voice vote was unanimous.

- A letter from Sally Houser, Event chair, Bellefonte Victorian Christmas, thanking the Borough for supporting the committee and the event. The 30<sup>th</sup> anniversary Victorian Christmas will take place December 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>, 2011.

- A copy of information received stating the appeals court denies access to officials' email. It states the panel finds documents on township commissioner's personal computer are not public.

- An unsigned thank you note from a grateful Halfmoon Hill resident thanking the Bellefonte Borough snow removal warriors for doing such a fine job this winter season.

Mr. Provan had a face-to-face request from one his constituents and within thirty minutes there was a snow plow there that cleaned up, salted and cindered the area.

- A letter from Francis Bonfatto, Chair, Streets Committee, Bellefonte Arts & Crafts Fair requesting the Borough suspend the open container law on Friday, August 19<sup>th</sup>, between 10:00 AM and 8:00 PM and on Saturday, August 20<sup>th</sup>, from 10:00 AM to 5:00 PM only in the sculpture area in Talleyrand Park. A new event featured at the Fair will be a wine vendor exhibit area. The wine tasting exhibit will be at the sculpture area of Talleyrand Park.

Mr. DeCusati made a motion to approve this request. Mr. Schneider seconded the motion. Ms. Dainty talked with the police chief regarding this matter. There will only be one way to get into this area and everyone will be carded. Those 21 years of age or older will be given a wristband and only those people will be allowed to taste or purchase wine. Mr. Schneider questioned whether the solicitor should be contacted to see if there would be any other type of liability or problems doing this type of event on public property. Mr. DeCusati amended his motion to approve the request based upon positive outcomes from the solicitor and Mr. Beigle seconded the motion. A voice vote was unanimous.

- A letter from Elise Gurgevich, Cub Master, Bellefonte Cub Scouts Pack 330 requesting permission to use space on the Diamond for a monthly chicken barbecue for the following dates: April 9<sup>th</sup>, May 14<sup>th</sup>, June 11<sup>th</sup>, July 2<sup>nd</sup>, August 13<sup>th</sup> and September 10<sup>th</sup>. The area would be needed from 4:00 AM to 2:00 PM on the above listed dates.

No decision was made on this request until more information is received.

- A letter from Sarah Edge, Office Manager, ClearWater Conservancy and Chris Finton, Chair, Watershed Cleanup Day 2011, ClearWater Conservancy requesting help with the 15<sup>th</sup> annual Watershed Cleanup Day to be held on Saturday, April 23, 2011. They are requesting the following support:

- Designate April 23<sup>rd</sup> as the Borough's official Watershed Cleanup Day.
- Identify an individual to serve as the Borough's site coordinator.
- Identify a meeting location for volunteers on the day of the cleanup.
- Provide equipment, such as a T-truck, on the day of the cleanup.
- Publicize the event.
- Identify any sites in the municipality that would benefit from a volunteer group working to clean them up on Watershed Cleanup Day.

Ms. Dainty made a motion to approve this request. Mrs. Dunne seconded the motion. A voice vote was unanimous.

- A letter from Janet & Kristi Bosco thanking the Logan and Undine Fire Departments for their efforts on Thursday, January 6, 2011, in saving their residence in Continental Courts.

- A letter from Rodney A. Beard, Chair, Alliance for Bellefonte community Development, Economic Development Committee, requesting Council examine the necessity to maintain signs prohibiting fly fishing and examine the possibility of removing signs prohibiting fishing in certain areas of Spring Creek. If this could happen they would like to coordinate an announcement of the newly opened fishing waters with local fly fishing industry participants in order to gain recognition for Bellefonte as a Fly Fishing Friendly Town.

- A letter from JoAnn Knupp, President, Bellefonte Historical and Cultural Association requesting a donation for the April 2, 2011 Mills Brothers concert. Ms. Dainty reminded Council that typically Council does not approve donations to any organization because if you give to one you will be obligated to give to all of them. BHCA (Bellefonte Historical and Cultural Association) is doing mailings to the public requesting donations.

Mr. DeCusati made a motion to support the concert by a \$500 donation. There was no second to the motion.

### **ORAL**

- None.

### **SPECIAL COMMITTEE REPORTS**

- Mr. Holderman attended the Spring Creek Watershed Commission meeting on behalf of Mrs. Dunne. The agenda included a discussion by Dr. Todd Giddings related to the watershed water levels and a discussion on Act 44—Storm-water runoff.

### **MAYOR'S REPORT**

- There was no report.

### **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

- Review re-zoning request from Spring Township: per (NVJPC) Nittany Valley Joint Planning Commission Agreement. Ms. Dainty sits on the NVJPC as the Borough representative for Council and attended the meeting when this request was made. The Spring Township planning department did not approve this to move forward. There will be a public meeting on Tuesday, February 15<sup>th</sup>, in Spring Township. The supervisors have made no decisions regarding this and Ms. Dainty recommends the Borough waits until the Spring Township Supervisors make a decision. County Planning is involved in the process.

## **CERTIFICATES OF APPROPRIATENESS**

- 1) 140 West High Street/Alan Uhler – Repaint trim with the addition of a new accent color. Replace front side of roof with architectural shingles. Replace existing gutter in kind. Install ADA ramp in front, to have black iron handrail, repair concrete on front porch, add black handrail to steps. Install window graphics displaying address number.

110 South Spring Street – Install sign for Uhler & Associates office, similar to the one previously approved for 140 West High Street. Install exterior light beside door. Repair and reinstall snap-in mullions in four front windows.

Walt Schneider made a motion to approve both Certificates of Appropriateness. Mr. Beigle seconded the motion. Mrs. Dunne questioned whether the concrete needs to be colored to match the sidewalk. Mr. Schneider stated the concrete was being repaired, not replaced. A voice vote was unanimous.

## **COMMITTEES**

Building & Property – There was no report.

Finance and Government Performance – There was no report.

Park & Recreation – There was no report.

Human Resources – Mr. Provan reported there is a conflict of interest occurring with the solicitor position on the Industrial Development Authority which has caused Tom Schrack, the current solicitor, to submit his resignation. Rodney Beard, who is an attorney, is willing to accept the position of IDA solicitor, which would leave a vacancy on the IDA.

Mr. Provan made a motion to appoint Mr. Frank Halderman to the position vacated by Rodney Beard contingent upon the approval of the IDA accepting the resignation of Rodney Beard and their approval of him being appointed as the solicitor to the IDA. Mr. Beigle seconded the motion. Mr. Schneider suggested finding a replacement that does not serve on Council. The motion passed with Mr. Schneider voting no.

Safety – Mr. Wilson provided an update on the Fire Task Force meeting. A copy of the draft agenda for the January 26, 2011 meeting was provided for review as well as the draft meeting minutes from the December 15, 2010 Fire Service Task Force meeting. The minutes provided a mission statement as well as a 2011 meeting schedule.

The next meeting will be held on Wednesday, February 23, 2011 at the Undine Fire Company.

Water/Sanitation – There is a daily water withdrawal/in stream flow report in the packets for review.

Streets – There was no report.

Energy & Environmental Conservation – The Demand Response Agreement with Allegheny Power for 2011 was renewed.

Representatives from McClure Company conducted a walk-through of Borough facilities and they feel the Borough is doing a great job at conserving energy wherever possible.

### **OLD BUSINESS**

- At the work session before the February 21, 2011 Council meeting Refuse Ordinance changes will be discussed.
- The Borough yard sale will be Friday, May 13<sup>th</sup> and Saturday, May 14<sup>th</sup>. Riff-raff will be the week of May 16<sup>th</sup> – 20<sup>th</sup>. Residents may find information regarding Bellefonte Borough on the website [www.bellefonte.net](http://www.bellefonte.net).

### **NEW BUSINESS**

- Council will be discussing a potential ordinance prohibiting the possession and use of tobacco by minors. The issue was turned over to the Safety Committee.
- Mr. Schneider requested Council write letters to Representative Benninghoff, Senator Corman, and to the Borough's Association requesting the Building Code not be changed. Required residential sprinkler systems went into effect January 1, 2011. The cost is not what has been represented at \$15,000, but rather it ranges from \$1.00 per square foot to \$1.50 per square foot. Mr. Schneider reported the Fire Task Force needs to look at changing the paradigm. Currently the paradigm is purchase big apparatus, park it in the fire station and when dispatched take the equipment out. If it is a working fire Mr. Schneider has trouble finding twelve people that are able to leave their job as well as take the hundred hours of training. Sprinkler systems cause significant cost savings in fighting fires as well as providing immediate water to the fire versus waiting 10 minutes for the fire company to arrive.

Mr. Schneider made a motion to send letters to Representative Benninghoff, Senator Corman and the PA Borough Association requesting they propose any effort to rescind House Bill 377. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Mr. Holderman requested Council members fill out the State Ethics Commission Form sitting at their desk and return them.

### **POLICE REPORT**

- There was no police report.

### **TICKET EXONERATIONS**

- There were no ticket exonerations.

## **ADJOURNMENT**

- With no other business to come before Council Mr. Schneider made a motion to adjourn the meeting of February 7, 2011 at 9:04 PM. Mrs. Dunne seconded the motion. A voice vote was unanimous.