

**COUNCIL MEETING OF MARCH 7, 2011**  
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**CALL TO ORDER**

The regular meeting of the Bellefonte Borough Council was called to order at 8:10 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: Wilson, Dainty, Taylor, Schneider, Provan, Beigle, DeCusati, Dunne, Halderman

Members Excused:

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

Staff Present:

Guests:

**APPROVAL OF MINUTES**

Mr. Provan made a motion to approve the minutes of the Bellefonte Borough Council meeting of February 21, 2011. Mrs. Dunne seconded the motion. A voice vote was unanimous to approve the minutes as corrected.

**COMMUNICATIONS**

**WRITTEN**

- A thank you letter from the Bellefonte High School Civics Class to Council President Halderman for attending their class and answering questions.
- A letter from Rick Wardrop, Chair Water Resources Monitoring Committee, Spring Creek Watershed Community, thanking the Bellefonte Borough for the donation of \$2,859.00 in support of the Water Resources Monitoring Project.
- A letter from Thomas S. Schrack, McQuaide Blasko, providing comments in regard

to the Bellefonte Arts & Crafts Fair Wine Tasting Exhibit. Because the solicitor provided comments the Borough will receive a bill. The solicitor and the insurance carrier both feel it would be okay to permit this event. Mr. Taylor feels if this is permitted the Borough is setting a bad precedent because they don't allow smoking in the park. Mr. Schneider feels it is good to spend money now as opposed to getting into a lawsuit later because of missing something. He feels it is a good venture. Ms. Dainty feels the Bellefonte Arts & Crafts Fair would reimburse the Borough for the solicitor fees. She stated there will be wineries displaying their product and may provide a very small taste. You must have ID to get into that area of the park and when you come out of the wine venue you must turn in your ID bracelet.

Mrs. Dunne made a motion to approve the wine tasting as part of the 2011 Arts & Crafts Fair with the addition of the precautionary measures suggested by the solicitor and the insurance agent. Mr. Wilson seconded the motion. Mr. Schneider amended the motion to state the Arts & Crafts Fair shall bear any costs associated with being able to host this event, including but not limited to the solicitor and any addition insurance coverage that would be required by the recommendation of the solicitor or the insurance agent. Mr. Beigle seconded the motion. Ms. Dainty informed Council that the Arts & Crafts Fair has insurance. A voice vote was taken on the amendment. The motion passed with Mr. Taylor and Mr. Wilson voting no; Ms. Dainty abstained from voting. A voice vote was taken on the motion to approve the wine tasting as part of the 2011 Arts & Crafts Fair. The motion passed with Mr. Taylor voting no and Ms. Dainty abstained.

- A letter from Senator Jake Corman in response to the letter the Borough sent regarding the new home sprinkler mandate. Mr. Corman feels the sprinkler mandate goes beyond the original intent of the UCC and adds a non-essential safety product as a requirement rather than an option. He introduced legislation that will remove the sprinkler mandate and replace it with a directive to offer sprinklers as a consumer choice.

Bellefonte Borough does not have an ordinance requiring sprinkler systems in existing construction. It is an option when there is not a second third-story egress.

### **ORAL**

- Mr. Schneider was approached by a local contractor who expressed his displeasure in scheduling inspections in the Borough and indicated that he was predominantly using Keystone. Mr. Schneider informed him he was not permitted to use a third party inspector, but must use Harry Burd, the Borough designated inspector. The contractor has had difficulty getting Mr. Burd to respond to his messages and when inspections are scheduled Mr. Burd does not show up. Mr. Schneider has received the complaint from several different people.

- Mr. DeCusati had a contractor call him in regard to voluntary work that will be done at the Girl Scout building with a retaining wall. The request was for help in digging the footer trench since the work is being done pro bono. Mr. Stewart has given approval.

### **SPECIAL COMMITTEE REPORTS**

- None

## **MAYOR'S REPORT**

- Mayor Goldman reported citizens are putting chairs, garbage cans, etc. in the street to reserve their parking space. Those items need to be removed because these are not private parking spaces.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

- Planning Commission Minutes from the meeting of February 28, 2011 are in the packet for review.
- The final plans for the Willowbank Plaza will be signed.

## **CERTIFICATES OF APPROPRIATENESS**

- 1) 108 North Allegheny Street – Replace all existing windows, balcony doors, and sidelights on the second and third floors, currently wood, with new energy-efficient aluminum clad windows mimicking the current appearance. There will be exterior screens. The five-over-one pane configuration and white color will be unchanged.
- 2) 141 South Spring Street – Replace existing “Dollar General” signage with similar individually mounted plastic letters in current locations (one sign on each of the two main facades). Typeface will be changed, letters will be bright yellow with a black border, and will extend approximately 4” off the wall. Signs will be illuminated from above by a total of 12 new black gooseneck light fixtures.

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

## **COMMITTEES**

Building & Property – There was no report.

Finance and Government Performance – There was no report.

Park & Recreation – The Committee, Mr. Stewart and Mr. Holderman discussed the possibility of opening Spring Creek from High Street to the Lamb Street Bridge for fishing and are open to the possibility. The Fish & Boat Commission said they would take it to their July Commission meeting, based on Council’s preference. If it is approved it would take thirty days for advertisements before it would be open for fishing. It would be open for any type of catch and release fishing. Council would like to know if this could be reversed if it is approved.

Mr. Taylor made a motion to allow fishing from the High Street Bridge to the Lamb Street Bridge with the approval of the Fish & Boat Commission. Mr. Wilson seconded the motion.

Mr. Wilson made a motion to table the first motion until it is determined what the Fish & Boat Commission will permit the Borough to do. Ms. Dainty seconded the motion. A voice vote was unanimous.

- Mr. Taylor reported there was a long discussion with the YMCA regarding Governor's Park. Mr. Long would like to hear the input from Borough Council. He wants to make a plan showing what they would like to do versus what Council would accept. Before he prepares his proposal he would like to know what questions Council will have for him. Council members should direct any questions to Mr. Holderman regarding the Governor's Park transfer of property to the YMCA. There is the possibility of having a NASA Challenger Center at Governor's Park.

Mr. Long stated until they can get established with the pool they will still seek support from Bellefonte Borough and the surrounding municipalities. Council members would like Mr. Long reminded of the intent of forming a long-range planning committee.

Human Resources – Mr. Provan clarified that Mr. Halderman would like him to do research on the possibility of incorporating a third-party code inspection person.

- Mr. DeCusati would like to begin meeting to discuss the Public Works Agreement that will end in 2011. Mr. Stewart stated the procedure is to receive a proposal from them first. Council would like to begin forming the proposal that they would like.

Safety – Mr. Wilson reported the Safety Committee met at the request of Officer Jason Brower to examine the possibility of the Borough having an ordinance to prohibit the possession and use of tobacco by minors. This ordinance is needed as a tool.

Ms. Dainty made a motion to pass Ordinance # 030711-001, An Ordinance of the Borough of Bellefonte, Pennsylvania Prohibiting the Possession & Use of Tobacco by Minors. Mr. Taylor seconded the motion. A voice vote was unanimous.

- Mr. Wilson made a motion to continue the skunk removal program in Bellefonte Borough. Mr. Schneider seconded the motion. In 2010 there were 69 skunks removed from the Borough. It cost approximately \$5,360.00 in 2010. The motion was passed with Mr. DeCusati voting no.

Water/Sanitation – Mr. Beigle reported the Authority is in the process of exploring the options for a site for trucks hauling water for Marcellus shale.

- The Daily Water Withdrawal Report shows usage is up because of leaks.

Streets – Mr. DeCusati stated there has not been any progress yet on finding a consultant to help with the downtown lighting issue.

Sidewalk ordinance amendments will be considered at the March 21, 2011 Council Meeting. Mayor Goldman feels this needs to be completed. Mr. Stewart reported the sidewalk ordinance has not been taken off of the books.

Energy & Environmental Conservation – Mr. Stewart reported he will be sending Council members a survey from Johnson Controls to obtain feedback on energy usage.

## **OLD BUSINESS**

- Mr. Beigle made a motion to approve Ordinance 03072011 for the Bellefonte Borough Authority \$2,687,100.00 Principal Amount Guaranteed Sewer Revenue Bond, Series of 2011. Ms. Dainty seconded the motion. A savings of \$87,000.00 was achieved. A voice vote was unanimous.

- Mr. Stewart provided a copy of the application required by Bellefonte Borough as well as a copy of the application from PennDOT for handicapped parking for information purposes. This will be discussed at the work session before the March 21, 2011 Council meeting.

- Mr. Schneider reported on House Bill 377, which is the residential sprinkler bill passed the House of Representatives today. Kerry Benninghoff voted to pass House Bill 377, which would remove residential sprinklers.

## **NEW BUSINESS**

- Mr. Holderman reported notification was received from the state to delay the public hearing for 2011 due to the uncertainty of the Federal Budget. There are some bills that could reduce the 2011 CDBG Funding. There is the potential to lose approximately \$100,000.00 from the CDBG Funding.

- Mr. Wilson made a motion to direct staff to put out an RFP for third party inspection capabilities for Building Code Inspections. Mr. Taylor seconded the motion. A voice vote was unanimous.

- Mr. Wilson made a motion to permit Ralph Stewart to pursue the running for the PA Rural Water Association Board. Mrs. Dunne seconded the motion. This does not require Council Action, but it would show the support of Council. A voice vote was unanimous.

## **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 March 7, 2011 at 9:27 PM. Ms. Dainty seconded the motion. A voice vote was unanimous.