

COUNCIL MEETING OF SEPTEMBER 4, 2012
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CALL TO ORDER

The regular meeting of the Bellefonte Borough Council was called to order at 7:30 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, Brown, Schneider, Provan, Beigle, DeCusati, Dunne, Halderman, Confer

Members Excused: McCullough,

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

Staff Present: Robert Keal, HARB Consultant;

Guests: Jeffrey L. Weaver; Wendy Roe; Paula Mott; Debra Mott; Bonni & Kevin Cain; H. Haranin; Becky Halpenny; Mike Halpenny; Shawn Halpenny; Erin Hammerstedt; Greg Brown; Belinda Brown; Jane Brown; James Brown; Terri Davis; Bruce Davis; Randy Brachbill; Cathy Brachbill; Debbie Hamilton; Jackie Douty; Linda Heverly Ferenchick; Diane Jones;

APPROVAL OF MINUTES

Mr. Schneider made a motion to approve the minutes of the Bellefonte Borough Council meeting of August 6, 2012. Ms. Dainty seconded the motion. A voice vote was unanimous to approve the minutes as presented.

COMMUNICATIONS

ORAL

- Mr. Schneider made a motion to revert the traffic situation on Cherry Lane and Badger Lane to the way it was prior to the August 6, 2012 Council meeting; and also

refer the same to the Streets Committee for a more in-depth investigation and interview of those concerns. Mr. Wilson seconded the motion. A voice vote was unanimous.

Mr. Provan would like a policy whereas any major traffic changes would go into a study rather than changing immediately. Mr. Halderman stated that is typically the way it is, but there are times in Council meetings where votes are taken.

Mr. DeCusati stated the Streets Committee did study the situation and has a recommendation regarding the situation. Mr. Schneider feels the Streets Committee should have a meeting with all the residents in an open process regarding the situation.

Mr. DeCusati stated the Streets Committee met on site and walked the area. They discovered several things. One is that from Bishop Street coming down into Badger Lane tends to be a narrower part of the road and then widens as it goes from Badger Lane to High Street. A concern is if you are trying to leave from Badger Lane onto Bishop Street you have limited visibility because of vehicles parking and there is a lot of foliage there so it was felt this portion going onto Bishop Street could be one-way. Going from Badger Lane to High Street could be two-way because there are no issues with that since it is a wider street.

The committee has heard a lot of issues from the residents and have looked at all the letters. Mr. DeCusati stated there is also the safety issue to be considered. Mr. Schneider was told to leave it two-ways and then examine the parking options in those areas.

Mr. Halderman reminded the residents that the Lanes are not playgrounds so they should keep their children off the roadway.

- Jeff Weaver, 126 West Logan Street, stated there is a serious problem. He stated the street is a racetrack. A dog was killed recently and there were some close calls with children. The dog was on a leash when he was killed. He questioned whether a speed bump could be installed. Mr. Halderman told him they don't like to use them because of plowing snow. Mr. Weaver checked online and found removable speed bumps. They bolt down and can be taken up in the winter and put away. Another alternative is to reverse the traffic flow on the one-way street. Mr. Halderman stated this issue was discussed with Chief Weaver during the work session. The speed bumps can be purchased in a price range of \$100 - \$1,000.

- Wendy Roe, 130 West Logan Street, stated she and her husband were pulling onto the street to park and had a motorcycle cut between them and a parked car on that street. Had her husband not been cautious there could have been an accident.

- Jacqueline Douty, 372 East High Street and the Corner of Badger Lane. She has been there since 1967. She has never seen an accident on Badger Lane because of the narrow roadway or on Bishop Street. The only problem with that site is the people living on both sides of Bishop Street off of Badger Lane do not cut or trim their brush. The neighbors on the lower side should have parking off street. She wrote a letter and Mr. Stewart stated he would read it so the people at the meeting and on CNET would understand what this was about. The change was done in such a speedy way that she became very upset and angry. She asked the Street people what they were doing and they informed her they had a work order to install the sign. She would

like to see the paperwork if a study was done on this. She stated Council is working for all the Borough residents not just one person. Mr. Beigle gave an incident of a truck trying to get out of Badger Lane today onto Bishop Street. He stated the recommendation for the one-way street was made because of safety. She stated this is a problem all over Bellefonte. Mr. Beigle stated one of the biggest problems is that people are in a hurry. Mr. DeCusati stated the incident happened because of an accident with a child.

Mr. Stewart read a letter to Council from Jacqueline Douty. The letter included a petition signed by 113 individuals that use Badger Lane on a regular basis.

- Linda Heverly Ferenchick, 312 Blanchard Street, along with Diane Jones, 310 Blanchard Street, discussed Logan Lane off of Blanchard Street and goes back to the cemetery. It is in very bad shape. After the rain most of the stones are down on Bishop Street. They would like the street to be paved. Mr. Stewart stated that is an un-ordained street. There is a process involved in making the street ordained. Property owners would need to pay a share for upgrade improvements required and the Borough would pay a share also. The residents were polled previously and the residents do not want to pay their share for paving. If a majority of residents would agree to pay their 1/3 share the street could be paved. There are several streets in Bellefonte that are not paved. Mrs. Jones has pictures of the lane after it has rained.

WRITTEN

- A letter from Ed Adams requesting eight recycling containers at the Teener League field be picked up so they do not need to be paid for when not in use. The letter also requests the use of Governor's Park Field for the 15/16 year old Pennsylvania VFW State Teener League Tournament August 2nd through the 5, 2013.

Ms. Dainty made a motion to approve the request to use the field. Mrs. Brown seconded the motion. A voice vote was unanimous.

- A letter from Keith G. Koch, Corresponding Secretary, BHRS, providing information regarding two major round trip train excursions from the Train Station in Talleyrand Park. Fall Foliage excursions will be on Saturday, October 20 and Sunday, October 21. The Christmas (Santa) Train excursions will be Friday, December 14; Saturday, December 15; and Sunday, December 16.

Mr. DeCusati made a motion to approve the use of the Talleyrand Park Train Station for the train excursions. Mr. Schneider seconded the motion. Mrs. Brown would like to have the Park and Recreation Committee and the BHRS review the train rides. A voice vote was unanimous.

- A letter from Randall Brachbill, 120 Badger Lane; a letter from James & Jane Brown; and a letter/petition from J. Douty in opposition to the one-way temporary 90-day trial on Badger Lane.

- A thank-you letter from Judge Tom Kistler for the beautiful flower plantings in the "Diamond" area of Bellefonte.

- A letter from Debbie Hamilton and Vana Dainty, Co-Directors, Bellefonte Arts & Crafts Fair thanking Bellefonte Borough and the Borough staff for the tremendous amount of support and help prior to and during the fair.

- A letter from Fran Bonfatto, Chair, Streets Committee, Bellefonte Arts & Crafts Fair, requesting the use of the entire Talleyrand Park area from the American Philatelic Society Greens area to and including the ending of the Park at West High Street; including the bricked fountain area from Thursday, August 15, 2013 through Sunday, August 18, 2013 for the 2013 Bellefonte Arts & Crafts Fair.

Mr. Schneider made a motion to approve the request. Mr. Provan seconded the motion. Mrs. Brown requested this request be turned over to the Parks & Recreation Committee for review because the downtown businesses were in the bricked area and they would like to use that area again. Ms. Dainty stated there was a one-year agreement that the merchants would be in the downtown area next year and the Chamber of Commerce would help them advertise. A roll call vote was taken: Wilson-no; Dainty-yes (Ms. Dainty stated she does not have to abstain from voting because she does not benefit financially from the Arts & Crafts Fair.); Brown-no; Schneider-yes; Provan-yes; Beigle-yes; DeCusati-no; Dunne-no; Halderman-yes. The motion passed.

Mr. DeCusati does not want to see another rush judgment.

- A letter from Keith E. Gabage, Director Corporate Development, Aqua Pennsylvania, Inc. The letter is a letter of inquiry about the potential sale of the water system serving Bellefonte. The letter has been forwarded to the Bellefonte Borough Authority. Council has no interest in selling the water system.

- An email from Gary V. Hoover, Executive Director, Chamber of Commerce, thanking Mayor Goldman and borough Council for their support of the Hometown Bellefonte Area (HTBA) set aside for local merchants and organizations during the 2012 Bellefonte Arts and Crafts Fair. He also thanked and commended the Borough Staff for its support and hard work to set up electrical power and to be sure everything was ready for the event.

SPECIAL COMMITTEE REPORTS

- Mrs. Dunne reported on the conference of the Spring Creek Watershed Commission that was held on July 18. The educational speaker was Rob Berghage, who is the director for the Center for Green Roof Research at Penn State. He spoke about the benefits of storm water management and its modulating effect on climate controls in the building. He felt if Bellefonte were to adopt this several buildings in a block it would benefit the storm water and get energy savings for the building. State College Borough Building is a green building.

MAYOR'S REPORT

- Mayor Goldman made an urgent plea to the residents to lock car doors when the car is unattended. The Borough police have had numerous car break-ins. All the cars were unlocked.

OFFICE OF COMMUNITY AFFAIRS

- Erin Hammerstedt works with Preservation Pennsylvania, which is a statewide preservation non-profit. She provided a one-page handout for Council members. She wanted to discuss the Cadillac Building on the corner of Allegheny Street and Bishop Street. The purpose of her attending the meeting is to address a letter the Borough sent to the Haranin's specifying certain steps that need to be taken. She provided an update and some information to Council. She provided HARB with a PowerPoint demonstration at their last meeting.

A few options have been explored for the use of this building and none of them cash flow well. The cost of doing a project is greater than the value of the project upon completion resulting in a financial gap and requiring some intervention. Currently the County is looking at the building. They have been offered the property as a gift. They are exploring occupying the building. Based on the needs of the community and what is permitted, there are several options. The County would be interested in a combination of Senior Center, storage, parking and possibly some future office space. They currently have a study underway to examine that. Erin provided pictures of Steelton, which is just outside of Harrisburg, and part of a rehabilitation project. They had a gymnasium and they rehabilitated it as two stories of parking, one with access from one street and the other with access from the other street, with residential apartments above.

Erin pointed out that rehabilitation could be a phase. The primary issue is stabilizing the building and making sure it is safe and secure and removing any water problems. The next phase would be redeveloping the first and/or second floor. The third floor could be left vacant, but there is a wide open opportunity there.

If demolition occurs there would be significant site issues with retaining walls and use of the property and access to the property. It would be a significant property just to remove the building. Erin feels forcing demolition is a mistake.

Council members stated on December 22, 2012 the building will have been open to the weather for three years. Council would like a roof structure put on the building and windows to be installed. Council has been waiting for over two years for this to happen.

Erin requested a revised schedule for this building. She feels if demolition is pursued Council needs to watch the precedent they are setting by putting the requirement out there and not enforcing it unless. Council has not received a report from a Structural Engineer registered in the Commonwealth of Pennsylvania indicating that the building is stable. This is a big detractor in the downtown area with scaffolding on the street to protect pedestrians from falling brick. This needs to go away. Erin feels it is not productive to talk about what should have been done.

The engineer, Rich Hughes from Clearfield, did a report in 2009. He was going to come to the HARB meeting and do an assessment of the building. After meeting with the County they came to the conclusion that level of assessment would not be useful to them and they needed to go to the next level, so instead of a several hundred dollar assessment, they are doing a several thousand dollar assessment to get a lot of detail. The property owner and the person who agreed to fund that study did not proceed with that because the County is doing a more complex study. The County received a confirmation today from an architect stating the study will be done by October 1, 2012. The architect is Al Drobka.

Council members stated there is a property owner directly adjacent to the structure who is significantly concerned about the structural stability of a building directly adjacent to theirs. How is a property owner with a legitimate concern addressed? It is not the first choice of Council to order demolition. To stop the process, Council needs somebody to sign on the dotted line stating they have an expertise on this stating this building is stable and will stand and there is not a problem with it standing in the condition it is or to make a recommendation stating something that needs to be done to make the roof on it. If the County decides they do not want the building, will the owner commit to do whatever it takes in the timeframe that the County's engineer has determined to maintain the stability of the structure or remove it in the same timeframe? The removal of the building would be the removal of the building and the restoration of the site.

It needs to be determined when the ninety days are up and when they are up are the Haranins told to tear it down or does Council have the authority to require they put a roof on it and save it.

If something falls and hits someone, the Borough would probably have a liability issue because of not doing something.

Erin feels the dialogue between the property owner and the Borough is not effective. Council is willing to wait for an assessment report from the County on October 1 only if there was an agreement with the current property owner that if the County does not take possession, the owner would be locked into a schedule of what would be done on a given timeframe to mitigate this situation.

Erin stated the schedule is that demolition plans need to be submitted by September 6 and on September 25 the property must be demolished and landscaped.

Mrs. Dunne made a motion to extend the demolition deadline to November 19, 2012. Mr. Beigle seconded the motion. The motion passed with Ms. Dainty and Mr. Schneider voting no.

Mr. Halderman feels the Borough left the ball down for not pursuing the issue sooner to have the property repaired sooner. Over the winter he would like to have the Building and Property Committee and the Safety Committee examine the ordinance to see what needs to be done about moving dates up. When there is a major disaster, firm dates need to be given stating what needs to be done rather than letting things drag out.

Erin will keep encouraging things to move forward. She feels a change in ownership is vital.

- The HARB meeting minutes for August 28, 2012 are in the packet for review. No action is requested.

ZONING/PLANNING

- The Planning Commission meeting minutes for July 30, 2012 are in the packet for review.

CERTIFICATES OF APPROPRIATENESS

- None.

COMMITTEES

Building & Property – There was no report.

Finance and Government Performance – Mr. Provan made a motion to file for audit the July 2012 Vouchers in the amount of \$611,383.85. Mr. Schneider seconded the motion. A voice vote was unanimous to approve the vouchers as submitted.

July 2012 Vouchers

General	19883 - 19983	\$ 213,968.11
Streetlighting	822 - 828	\$ 5,526.75
Bellefonte Fire Dept.	1352 - 1368	\$ 14,191.56
Fire Equipment	178 - 180	\$ 4,052.37
Parks & Recreation	1674 - 1689	\$ 7,291.29
Water	8614 - 8670	\$ 133,931.69
Sanitation	9781 - 9836	\$ 128,701.58
Refuse	2587 - 2607	\$ 56,219.21
Swimming Pool	514 - 519	\$ 1,572.79
CDBG	-	\$ 0.00
Special Projects	134 - 136	\$ 32,000.00
Highway Aid	230 - 231	\$ 7,054.00
Capital Projects	-	\$ 0.00
Bulk Water Sales	189 - 192	\$ 6,874.50

Total: \$ 611,383.85

Mr. Schneider made a motion to approve an invoice to McQuaide Blasko in the amount of \$637.87 for services rendered through July 31, 2012. Mr. Provan seconded the motion. A voice vote was unanimous.

Park & Recreation – Mrs. Brown thanked Coca-Cola for allowing eight of their employees to perform a Community Service Day in Bellefonte on August 9. They

painted the two bridge decks and the fence around the Raceway. She would like a letter sent to them thanking them for their work.

The Pool Authority is moving forward. There will be a meeting on Thursday, September 13, with the Attorney Tom Schrack to finalize everything. All the municipalities will be in attendance at that meeting.

The Kepler Pool attendance report was provided. There was a 25% increase in the pool usage this year.

Human Resources – Mr. Provan reported the Human Resources Committee continues to discuss the Streets Employee contract and are preparing to discuss the Police Contract. There will be a meeting on Thursday, September 6, at 4:30 p.m in the Borough Building.

Safety – Mr. Wilson reported the Fire Executive Committee met on August 16. He thanked Mr. Schneider and Mr. Holderman for their work in updating an amendment to the Fire Agreement. The amendment has not been submitted to the Townships yet. When the agreement was established for two years, the thought was that the Fire Task Force at the end of two years would come back with some recommendations. The Fire Task Force is disbanded. As a continuation to ensure that the municipalities know how the Borough is charging them for fire service, the idea was to come up with the amendment and continue it for another two years.

Mr. Halderman would like to receive a copy of the Fire Executive Committee meeting minutes in the Council packets. The plan is to bring Tim Schreffler, the new fire chief, to a work session for Council to hear his presentation.

Mr. Provan made an observation of a loose ground wire on Crawford Lane. Mr. Wilson examined that, and it was taken care of by Borough employees. There is a street light in the tree on Stoney Batter by the broken mirror that needs cleared out.

Mr. DeCusati was asked by a resident why the vehicle for the Fire Chief is rotated among members. It was determined that the two company chiefs and the Department Chief rotate the vehicle so there is always somebody on call to reduce the on-call time. It will also provide the company chiefs with additional command experience. It also takes care of additional coverage. The two company chiefs are in agreement with this decision.

Mr. Halderman questioned whether Council must approve this. Mr. Stewart will check on this. Mrs. Brown reiterated that there is no personal use of that vehicle in any form and no personal people in there...only the ones authorized to ride in that vehicle.

Water/Sanitation – Mr. Beigle reported a copy of the August 7, 2012 Authority Meeting minutes is in the packet for review.

A copy of the daily water withdrawal/instream flow requirement report is in the packet for review.

The next Authority meeting will be on Wednesday, September 5, 2012 at 6:00 p.m.

Streets – Mr. DeCusati Badger Lane will be reviewed by the Streets Committee.

A school crossing on Allegheny Street is moving ahead.

A survey showing the results from Potter Street will be distributed at the next Streets Committee meeting.

There is some line painting and a lot of water work and storm water work that has been keeping the crews busy. The work is ongoing.

Mr. Schneider made a motion to amend Shade Tree Ordinance and put it out for advertisement. Ms. Dainty seconded the motion. There are some proposed changes. The motion was rescinded so the ordinance can be discussed in a work session.

Paving is completed. There is an area on Linn Street near Ridge Street that looks like some loose asphalt was dumped. Also there is an area on Spring Street.

Energy & Environmental Conservation – Mrs. Dunne mentioned there will be a Source Water Protection Plan committee meeting on Tuesday, September 11, 2012.

Junior Council Report – There was nothing to report.

OLD BUSINESS

- Mr. Beigle made a motion to advertise the codification of ordinances. Mrs. Brown seconded the motion. A voice vote was unanimous.

- The Borough Audit was provided to Council members. Any questions should be directed to Mr. Stewart.

- The Borough's Association Fall Leadership Conference will be October 12 - 14 at the Nittany Lion Inn. Council members should inform Mr. Stewart if they are interested in attending.

- Bids were open for the right-of-way property along Beaver Street. The appraisal was \$2,000 and the advertising costs were approximately \$500. A bid of \$4,000 for the parcel at 387-401 East Beaver Street was received from Mr. Schneider.

Ms. Dainty made a motion to accept the bid on the land beside parcel no. 32-104-006-0000. Mr. DeCusati seconded the motion. The motion passed with Mrs. Brown voting no. Mr. Schneider abstained from voting.

NEW BUSINESS

- The Community Covenant Initiative is meant to show the world that communities do care about each other and live up to high standards. Al Jones of the Centre County Community Foundation recommended the Borough adopt the Covenant (in the form of a resolution) as a community institution. This will be discussed at the next work session.

- Mr. Stewart provided information in the packets regarding Storm Water Management solutions that do not require new piping or piping systems. He provided drawings of what that could look like. Mrs. Dunne feels the Streets Committee and the Energy Committee review this system and provide a recommendation to Council.

- Kathy Stanton is exploring the option of providing a flu vaccination clinic to Borough employees. Currently the cost is \$23.00 per shot, which is less than what was paid last year.

Ms. Dainty made a motion to move forward with obtaining a company to provide flu shots to Borough employees. Mrs. Dunne seconded the motion. The motion passed with Mrs. Brown voting no.

- Mrs. Brown feels in the past when someone comes into Council, such as the group of people in the audience, the Borough should take up the cause rather than the residents. Such as if a street light is requested. The Borough should survey the residents on either side of Logan Lane to see if they would like to participate in the paving rather than the residents being required to do that. Mr. Stewart will send a letter to the residents along with a cost estimate. The letter will explain the process of the Borough taking back a property.

- With the budget season coming Mr. Schneider would like a policy developed that Mr. Stewart and Mr. Holderman not bear the cost of their cell phone when Council members are given the numbers for after-hours telephone calls. They are using their cell phones for Borough business and Borough access so Mr. Schneider feels the Borough should pay some of the expense. This will be discussed in a work session.

ADJOURNMENT

- With no other business to come before Council Mr. Schneider made a motion to adjourn the meeting of September 4, 2012 at 9:18 p.m. Ms. Dainty seconded the motion. A voice vote was unanimous.