

**BELLEFONTE BOROUGH COUNCIL MEETING**  
**February 2, 2015**  
**www.bellefonte.net**

**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. It was requested that cell phones either be placed on vibrate or turned off.

**ROLL CALL**

Members Present: Beigle, Brachbill, DeCusati, Dunne, Halderman, Harvey, Spicer, Walker, Li,

Members Excused: Brown,

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

Staff Present: Vana Dainty

Guests: Jim Steff; Walter Schneider; Joanne Tosti-Vasey; Michael Shadow;  
James B. Pressler;

**CONSENT AGENDA**

(The following items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of Council request specific items to be removed for separate action.)

- Minutes - Approval of January 19, 2015 Meeting Minutes
- Letter request from American Legion Unit 33 Ladies Auxiliary regarding the Easter Egg Hunt.

Mr. Spicer made a motion to approve the use of Talleyrand Park for an Easter egg hunt on Sunday, March 29, 2015. Mrs. Dunne seconded the motion. The letter requesting the Easter Egg Hunt has two locations - the Armory location or Talleyrand Park. Mr. Stewart recommended that the egg hunt be in Talleyrand Park. He feels this is not the year to hold it at the Armory property. A voice vote was unanimous.

Mr. Spicer made a motion to approve the January 19, 2015 minutes with a name correction on page 1 under guests - it should read Robert S. Cronin, Jr. Mrs. Dunne seconded the motion. A voice vote was unanimous.

## **REGULAR AGENDA**

## **COMMUNICATIONS**

### **WRITTEN**

- An email from Gary V. Hoover, Executive Director, Bellefonte Intervalley Area Chamber of Commerce, regarding the 2015 Volunteer Fair, which will be held on Saturday, March 7, at the American Philatelic Society at the Match Factory in Bellefonte from 10:00 a.m. to 2:00 p.m.

- A draft copy of the Centre Region Building Safety & Property Maintenance Code is in the packets for review. They would like comments by March 1, 2015.

- A letter from Ashley Montagnese requesting additional space in Talleyrand Park under the willow trees near the stream for a wedding ceremony. They have already booked the Gazebo and Arbor area for October 8, 2015. They would like to place chairs in this area.

Mr. Walker made a motion to approve this request. Mr. Brachbill seconded the motion. Mrs. Dunne stated there is a park regulation that makes it two parts of the park, but this is all in one area. A voice vote was unanimous.

- An email from C-NET providing information. All C-NET programs are available to watch online at [cnet1.org](http://cnet1.org). Meetings have clickable agenda items so you can watch only the agenda items that are of interest to you. They offer an email notification service to alert you when your favorite programs are available to watch online. To sign up for the free notifications email [cnet@centreconnect.org](mailto:cnet@centreconnect.org).

- A letter from Centre County Government informing the Borough that the Liquid Fuels funding request was denied. This is the third year that the Borough did not receive any liquid fuels funds. Mr. Beigle would like information from the Centre County Government regarding how the money is distributed.

- A banquet invitation from the Bellefonte Emergency Medical Services on Saturday, February 28, 2016, at the Nittany Valley Event Center located at 119 East College Avenue, Pleasant Gap. The social hour begins at 5:00 p.m. with dinner at 6:00 p.m. Please RSVP by Monday, February 23, 2015. Seating is limited so reservations are required.

- A request to have an agreement for snow removal with the owner of the Waffle Shop. The lot outside the Waffle Shop is a municipal lot. The owner would like to

discuss some type of agreement where he would maintain the lot. Someone fell in the lot the other day. He is willing to meet with the committee to discuss this.

This will be turned over to the Building and Property Committee for review and recommendation.

- A letter from Robert E. Lamb, Bellefonte Children's Fair, which will be held on Saturday, June 6, from 10:00 a.m. until 2:00 p.m. There will be no rain date. They request the following: permission to hold the fair at the intersection of East Curtin and Armor Streets; closure of the 400 block of East Curtin Street and Armor Street from East Linn to East Curtin Street from 8:00 a.m. until 4:00 p.m.; they also request a special trash pickup at the conclusion of the fair; and permission to hang the Children's Fair banner across Allegheny Street for a few weeks before the fair.

Mr. Beigle made a motion to approve this request. Mr. DeCusati seconded the motion. Mr. Brachbill requested that the information be provided to fire and police departments. A voice vote was unanimous.

### **ORAL**

- Joanne Tosti-Vasey, 429 North Spring Street, regarding the Certificate of Appropriateness for the Muse/Garman Site. She recommends that Council table that vote until after the public hearing because she believes passing it before the public hearing is putting the cart before the horse. In addition, the Certificate of Appropriateness does not fully cover the building. They still need to deal with signage, lighting and the roof. She feels it all can be done at once and it would be better for the public interest and transparency to table that vote until after the public hearing.

- James Pressler, Milesburg, Chief of the Undine Fire Company. At the Executive Session there was discussion about the Chief's vehicles. He lives in Milesburg and cannot take his vehicle to Milesburg and be on duty at the fire house at the same time. He has another chief that lives in Milesburg also and they take turns using that vehicle. He is not that far out of the coverage area and he said there is no other fire company that says the vehicle has to stay in the coverage area.

This will be turned over to the Safety Committee for review and recommendation.

- Troy Knecht, 709 Nilson Road, read the MOA regarding the Muse and Cadillac Building. He pointed out that the public comments at the HARB public meeting are not part of the approval process.

### **SPECIAL COMMITTEE REPORTS**

- Draft Fire Protection Task Force Minutes from the January 22, 2015 meeting are in the packet for review.

On the Task Force minutes on page four the Undine Fire Company received \$14,007.69. Mr. Schneider clarified that this is the PEMA (Pennsylvania Emergency Management) State Grant that each of the fire companies applied for.

Mrs. Dunne said this was a good meeting. Thanks to Mr. Brachbill, Chief Schreffler and members of the fire company there is now a good framework for the Master Plan update and incorporation into the Fire Protection Task Force final plans. One page two and three are references to some legislation that Council may want to introduce resolutions to help with the fire protection effort.

- Draft Safety Committee meeting minutes from January 21, 2015.

## **MAYOR'S REPORT**

- Mayor Wilson thanked Ms. Dainty for joining him this morning on the WBLF Show "All Things Bellefonte". It airs every first Monday of the month at 8:30 a.m. Ms. Dainty updated the citizens on what is going on with the Keystone Designation.

- Mr. DeCusati would like to have an Executive Session regarding what is happening with the Police Department.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

- Draft Nittany Valley Joint Planning Commission meeting minutes from January 16, 2015.

- Draft Planning Commission meeting minutes and recommendations from the January 26, 2015 meeting are in the packet for review.

Mr. Beigle made a motion to approve the final land development plans for the Garman property at the recommendation of the Planning Commission and to approve the waiver of the recharge requirements of the storm water system. Mr. Brachbill seconded the motion. Mr. Stewart stated the storm water engineer reviewed the plan. The developer is requesting a waiver of the recharge requirements of the storm water management ordinance. He is recommending approval of that waiver as noted in his review. The motion passed with two members voting no.

## **HARB**

### **Certificates of Appropriateness**

- 1) 219 Water Street - Signage
- 2) 429 North Spring Street
- 3) 209 South Allegheny Street
- 4) 110 East High Street

Mr. Beigle made a motion to approve all four Certificates of Appropriateness. Mr. Spicer seconded the motion. Ms. Dainty said the Certificate of Appropriateness does not include signage, lighting or the roof for the Garman building. They are waiting for tenants before that can be decided. The owners have complied with all the

requirements for the zoning ordinance, all the requirements for utility service, all the requirements for the design of the building. At this point they have complied with everything they need to do to move forward. Mr. DeCusati doesn't know why it can't wait until after the public hearing. Mrs. Dunne said they have complied with all the requirements but there is still the spirit of the agreement which involve the consulting parties. The public meeting is in large part for the consulting parties. They have all been notified of the public meeting. She feels in order to do justice to the process, considering the history, the number of meetings, and the publicity over the last year, that the public meeting should be held before Council gives its approval. Mr. (?) said the consulting parties were notified over a year ago about what was going to be done and what the elements of Memorandum of Understanding would include. They have lived to the letter of that. He feels it is not up to him to continue to contact them. They have obligations they have to live up to and they need the project to move forward. Ms. Tosti-Vasey said under the Sunshine Law if there is an objection from the public for a public hearing that has not been held that must be heard before a vote. She read that portion of the Sunshine Law. Council disagreed with Ms. Tosti-Vasey. The motion passed with two Council members voting no.

- HARB draft meeting minutes from the January 27, 2015 meeting are in the packet for review.

**BUILDING AND PROPERTY** - Mr. Walker made a motion to move forward with developing an agreement with the Industrial Development Authority for the Armory property. Mr. Beigle seconded the motion. A voice vote was unanimous.

**FINANCE AND GOVERNMENT PERFORMANCE** - No report.

**PARK AND RECREATION** - No report.

**HUMAN RESOURCES** - Mr. Spicer reported an internal position was posted for a vacancy in the Refuse Department. If there are no internal candidates then the position will be advertised in the CDT later this week.

**SAFETY** - Mr. Brachbill reported the draft Fire Department Executive Committee meeting minutes from January 22, 2015 are in the packet for review.

**WATER AND SANITATION** - Mr. Beigle reported the Community Wide Yard Sale will be May 15th and 16th.

- Riff-raff week will be May 18th - 22nd. The Borough is going to try to get a container for electronics during the week of riff-raff that residents can take their items to. Electronics are not to be set out during riff-raff week. You can only put out a pick-up load during riff-raff. You will be charged for anything over that or if it takes over 10-minutes to pick up your items you will be charged. This information will be included in the newsletter. You can take electronics to the transfer station anytime at no cost.

**STREETS** - Mr. DeCusati reported a light on the corner of Allegheny and Bishop Street has been out and the Borough is aware of it. They are working with the contractors to get it fixed.

- Mr. DeCusati made a motion that Bellefonte Borough join PennDOT's project for the resurfacing of Allegheny Street for 2015. Mrs. Dunne seconded the motion. The cost will be \$160,000.00. Mr. DeCusati said there is money available. Once Council approves this the paperwork will be completed to get it approved to be part of the bid project to do the curbs. A voice vote was unanimous.

- Mr. Halderman said the roads are becoming slippery but it is too cold for the salt to work. He urged Council members to be careful driving home. Mr. DeCusati asked the residents to drive slower when in town because there is a lot of snow mounds and ice that need to be dealt with. He also thanked the Borough crews who are working continuously to remove the snow. Ms. Harvey reminds residents not to tailgate. Mr. Beigle asked residents to remove the snow from garbage cans and recycling bins. Also, please shovel paths for the refuse workers so they can get to the containers. If there are elderly people that are not able to do it there are individuals that are willing to provide that service.

- Mr. Holderman reported there is a problem with the municipal lot permits when there is snow because the crews are not able to clear the lots. He asked if the Building & Property Committee could explore this situation and make a recommendation.

**ENERGY AND ENVIRONMENTAL CONSERVATION** - Ms. Harvey and the committee met and discussed the issues of solar panels in the Borough. They had preliminary regarding a possible Solar Energy Ordinance. They reviewed a draft of the current SEDA-COG ordinance and plan to do further research.

**JUNIOR COUNCIL** - Ms. Li reported the High School is in the second semester.

### **OLD BUSINESS**

- Mrs. Dunne reported there is a free PSAB Webinar on February 11th at noon regarding the Sunshine Law that she would like Council to view.

### **NEW BUSINESS**

- Mr. Walker made a motion to approve and send the letter to Ms. Hammerstedt regarding the CLG 2015 Grant Application Letter of Support. Mrs. Dunne seconded the motion. A voice vote was unanimous.

- Mr. Stewart will be going to the PA/National Rural Water Trip to Washington D.C. Monday, February 9th through Wednesday, February 11th. He will take Tom Long, Operator/Maintenance at the Wastewater Treatment Plant because Tom has the most years of service of any certified operator and can speak first-hand about

regulations, operational issues and training needs. All expenses for the trip are covered by the PA Rural Water Association.

- Some suggested resolutions for the PA State Association of Boroughs are:

Consider a resolution supporting up to 50% tax credits for the installation of fire sprinkler systems in existing multi-family buildings as well as exempt the fire sprinkler permit from the real estate tax assessment process.

Another thing is House Bill 299 would give an active firefighter a tax credit equal to his or her earned income tax. That could be an additional resolution that the Borough would be supportive of.

Another resolution is one Mr. Stewart proposed about mandating all new local and state government employees, including all elected and appointed, uniformed and non-uniformed, be offered only a defined contribution pension plan.

The deadline to submit these is after the next Council meeting. Council will have a work session to work on suggested resolutions.

- Mr. DeCusati made a motion to contact Mr. Benninghoff's office to begin the process to rename the High Street Bridge in honor of our Veteran's. Mrs. Dunne seconded the motion. A voice vote was unanimous.

- Mr. Beigle made a motion to approve the concept presented in the work session of changes proposed by HBI regarding a function the Cruise is proposing at the Undines. Mr. DeCusati seconded the motion. Insurance and additional insured requirements and any additional agreements that would be necessary will be worked out. A voice vote was unanimous. Mr. DeCusati suggested HBI notify any potential participants in the car show that the post-car show cruise could potentially be eliminated. The motion passed with two members voting no.

- Mr. Stewart said a Conflict of Interest form is the official way to handle a conflict of interest where a Council member plans to abstain from a vote. It will be attached to the official minutes. He will keep forms on hand to be available when needed.

(This is where there was a pause in the tape.)

- Mr. Brachbill would like to see the policy regarding the Fire Chief vehicle so a proposal can be developed for the next meeting.

## **ADJOURNMENT**

- With no other business to come before Council made a motion to Mrs. Dunne adjourn the meeting of February 2, 2015 at 8:30 PM. Mr. DeCusati seconded the motion. A voice vote was unanimous.