

**BELLEFONTE BOROUGH COUNCIL MEETING**  
**February 15, 2016**  
**www.bellefonte.net**

**CALL TO ORDER**

The regular meeting of the Bellefonte Borough Council was called to order by Council President Gay Dunne 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, Brown, DeCusati, Dunne, Johnson, Spicer, Tosti-Vasey

Members Excused: Harvey, Mayor Wilson

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

Staff Present: Vana Dainty

Guests: JoAnn Knupp; J. T. Newlin; Emma Gosalvez, Lock Haven Express;  
Walter Schneider

**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 February 1, 2016 Meeting Minutes
- Communications – Letter request regarding Boy Scout Chicken Barbeque
- Mayor – Police Report
- Mayor – Police Exonerations
- Finance – January 2016 Voucher Summary: \$581,294.03
- Finance – Treasurer’s Report January 2016

Mr. Beigle made a motion to approve the Consent Agenda. Mr. DeCusati seconded the motion. It was requested that both finance documents be removed from the Consent Agenda. A voice vote was unanimous.

Mr. Brachbill had questions related to the General Fund and the expenses-to-date. He found three different expenses listed – 195,845.00, 194,611.29 and 185,453.05. He is confused with the numbers. Mr. Holderman reported there will be a Finance Meeting next Wednesday and an overview can be provided.

Mr. DeCusati made a motion to table the Financial Documents until next time. Mrs. Tosti-Vasey seconded the motion. A voice vote was unanimous.

## **REGULAR AGENDA**

### **COMMUNICATIONS**

#### **WRITTEN**

- An invitation to the Bellefonte Emergency Medical Services annual banquet to be held on Saturday, March 5, at the Bellefonte Moose Lodge. Social hour begins at 5:00 p.m. with a buffet dinner at 6:00 p.m. Council members must RSVP by Monday, February 29.

- A request from the Bellefonte Post Office Postmaster requesting that the handicap parking space be moved one space.

This will be handled administratively.

- The PSAB Annual Conference will be held June 5-8 at the Hershey Lodge. Information is provided for Council members to review and consider.

Ms. Tosti-Vasey asked if more than one member of Council can attend, which they can. Mr. Stewart stated typically there is only interest by a few Council members. Mr. DeCusati reminded that Council members were asked to only attend one item per year, not two.

Mr. Beigle stated if two people are going down one of them will volunteer to be a delegate and Council votes on that person to do the voting for them.

- A petition to demolish the house at 123 St. Paul Street. Mr. Stewart reported the property is outside the Historic District. There is an ordinance that discusses what happens when someone wants to demolish a building. In the codes, section 210-4 outlines a process for an individual to get an application. The way it is worded is if Council deems it to be necessary, it may require the Borough engineer to review the application. It is not an automatic definite requirement that an engineer reviews the application, but Council needs to decide whether they deem it necessary or not. There are photographs in the information that came in.

Mr. Brachbill has wrestled with this. Some of the pictures are not that good printed out but on the computer it pulls out different things throughout the house. He does not know if that means it is structurally unsafe. He also wondered since it is for

sale by a realtor where they fit in. There are a lot of entities there. The only one he sees that has a legal right to it at this point is the realtor. He feels it needs to go through the process.

Ms. Tosti-Vasey asked if this comes under the Abandoned Properties Act of Pennsylvania and how would Council mesh it in with the ordinance and with that law. She does know that under the abandoned properties law people living within 3,000 feet of that property have standing and at this point that letter just looked like it was just the people on North Thomas Street and St. Paul's Street. You could also go up Halfmoon Hill and have them have a say. She does not think a decision can be made this evening.

Mrs. Dunne feels there is certain criteria that has to be met to be an abandoned property.

Mr. Stewart stated it would require the applicant to have it reviewed by the engineer. The applicant would pay the fee for the Borough engineer to review it.

Mrs. Brown recommended exploring the deed to see who it is deeded to.

Mr. Holderman said these people want to buy the property to tear it down. They do not want to purchase it and then have Council say they cannot demolish it. Mrs. Brown would like to know what will happen to the land once the building is demolished.

Mrs. Dunne recommended having the people that want to buy the property come in and have a discussion. Mr. Stewart will have them come in to an upcoming work session. Mr. DeCusati would like to hear from the realtor as well to be sure the seller is okay with the plans.

- There is a showcase tour of Conservation Projects sponsored by Centre County Conservation District Friday, May 13, from 12:30 p.m. to 4:30 p.m.

- The February 2016 CATAlog Newsletter is in the packet. The CATA Annual Public Hearing will be Monday, February 22.

- An email from Dr. Peter J. O'Donnell in regard to the PA Beekeepers Association regarding the ordinance prohibiting bees in the Borough.

This will be given to the Energy and Environmental Committee for review and recommendation.

- A letter from Dr. Mark Badger, Advancement Committee Chairman, Pleasant Gap Boy Scout Troop 66, addressed to Bellefonte Borough Council members. They are putting together an Eagle Scout Ceremony for Steven Michael Giacobe to receive the rank of Eagle Scout. They would like representatives from Council to attend the ceremony on Sunday, April 3, at 2:00 p.m. at the Pleasant Gap United Methodist Church or to send a letter of congratulations.

- Walt Schneider dropped off a letter in regard to South Allegheny Street adjacent to the Cadillac Building. The street is temporarily marked "one-way" and there is concern about access. Mr. Schneider is asking Council to take action to ask the

contractor to move the staging area so the street can be open or temporarily block the parking off on South Allegheny Street on the side where the toy shop is located.

It is recommended that the contractor move his fencing back to the end of the parking going up the hill, but still keep the street "one-way". The contractor had to re-pour the floor inside the building on the first floor and because of that they created a staging area on the outside of the building rather than the inside. They are moving as quickly as they can to get the staging area moved inside the building.

Mr. Beigle suggested talking to the contractor and share the concerns of the fire company.

- Ms. Tosti-Vasey received an email from Jim Dunne, BHCA, regarding the Freight House delay. Excavation scheduled to begin on February 8; Milesburg Water Authority, Coca Cola, responded to our excavator PA 1 call. On Friday, February 5, marked the water line. It is closer to the Freight House side than indicated on the drawing. The new location is acceptable to the Authority and the local Coca Cola but because the line owned by Coca Cola has a 22' easement, the proposal has been forwarded to Coca Cola's legal department in Atlanta. They are hoping for a rapid resolution, but there is now no definite date for excavation. The site has been re-staked by Sweetland Engineering, and the railroad crossing is in place. They are ready to proceed as soon as this latest complication is overcome.

### **ORAL**

- JoAnn Knupp, BHCA, addressed Council. She has a partner, Susan Hoover, who could not attend the meeting because of a death in the family. JoAnn and Susan kept talking about the history of Bellefonte. For a time Susan worked with the Visitors Bureau at the Train Station and commented that a large number of people come into the Train Station and want to know what Bellefonte is all about. There is no sign on the Quaker Cemetery that tells you anything. Susan and JoAnn talked and would like to put signs at different locations. They are just in the beginning stages of their plans. They have \$5,000.00 to use. She would really like to see a sign on Dunlop Street by Café in the Park saying John Dunlop was the very first non-native person who stepped on ground in this town. They want people to know where Maryann Hazel lives on West Curtin Street was built for the first president of Penn State. He never lived in it because he died before it was finished. They would like to eventually have signs to put on some of the historic houses. Mr. DeCusati suggested they work with HARB on the type of sign they use.

### **SPECIAL COMMITTEE REPORTS**

- Draft Fire Protection Task Force meeting minutes from February 28, 2016 are in the packet for review.

- Draft Fire Department Executive Committee meeting minutes from February 28, 2016 are in the packet for review.

- Draft IDA meeting minutes from February 10, 2016 are in the packet for review.

## **MAYOR'S REPORT**

- No report.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

### **HARB**

## **CERTIFICATES OF APPROPRIATENESS**

- None.

**BUILDING AND PROPERTY** – Mr. DeCusati attended the IDA meeting. Because of some of the other meetings going on, it has been difficult to have the committee meet at the municipal parking lot to look at the sinkhole issue. Mr. DeCusati looked at it. The board is frozen. The Committee needs to get together and address that issue.

Mr. Holderman reported at the IDA meeting different options were discussed for Dunlop Street. The IDA is working on three options and will come to a meeting in the near future to discuss them with Council.

Ms. Tosti-Vasey reported the IDA allocated \$8,250.00 to do a study to come up with the three options for Dunlop Street. It will eventually come back to Council to determine whether they want it closed or not.

Mr. Holderman had some follow-up emails from Pennsylvania State Office of Budget. They made the clarification that if the street remains a street it will not be reimbursed. If it is a pedestrian walkway they will allow for reimbursement.

**FINANCE AND GOVERNMENT PERFORMANCE** – Mrs. Brown reported that the finance issues have been tabled until the Finance Director can answer some questions.

The Finance meetings for the year have been established. It is the 4<sup>th</sup> Wednesday after this month and will be on a quarterly basis.

**PARK AND RECREATION** – Mrs. Dunne had a follow-up regarding the butterfly garden proposal. Mr. Dunne has made contact with the student to see how involved she would like to be.

**HUMAN RESOURCES** – Mr. Spicer made a motion to approve the Union Contract with the addition of a date added per Mr. DeCusati in Article 18, Section 8. It would be an “effective date.” Mr. Beigle seconded the motion. A voice vote was unanimous.

Mr. Spicer reported there is a letter to the Union regarding safety issues regarding fluoride. Fluoride will be removed from the water.

Mrs. Tosti-Vasey made a motion to request that Jeffrey Stover be the Borough Solicitor. Mr. Brachbill seconded the motion. A voice vote was unanimous.

**SAFETY** – No report.

**WATER/SANITATION** – Mr. Beigle reported the meeting minutes were in the packet for review. When the cold snap hit there were some broken water lines.

Mr. Stewart explained under DEP regulations in Pennsylvania they are required as a water system to test for lead on a regular basis and depending on the results you test more frequently. Bellefonte has never had any lead detection. The Borough is on a regular cycle for testing. They send sample bottles to fill with the first draw of water in the morning. The Borough picks up the bottle and sends it to a certified lab to have those results checked. The results go directly to DEP and are reviewed by DEP on a regular basis. If there would be detection, the Borough would be notified and would have to follow a public notification protocol that has been adopted by Pennsylvania. Depending on the severity of the detection, there would be steps to go through including boil water notices, etc. The Borough has very high quality water to start with and there is the limestone base, which neutralizes the water. He believes in Flint, Michigan, it was related to the acidity of the water and that acidity etched out the lead in the pipes. There are very dedicated people that watch that day in and day out.

Mr. Beigle reported there were three individuals that filed a complaint with DEP. Two of the individuals have withdrawn their petition because the Authority came up with a mutual agreement to implement a program that would provide fluoride to the children. There will be a task force and the authority will see that this is taken care of. The cost will come out of the Authority's budget. Mr. Stewart stated information will be put out through the website. There will be opportunities for people interested in serving on the task force. The fluoride will not be removed until a notice is sent out to all the customers. They will receive a thirty-day notice.

Mrs. Dunne recommended that information be put on the website regarding the lead testing.

Mr. Beigle made a motion to approve the financing proposal for the upcoming WWTP Project. Mr. Spicer seconded the motion. Ms. Tosti-Vasey would like the new solicitor to review the proposal. Mr. Beigle stated the Authority has their own solicitor and if anyone reviews it that is who it will be. Mr. Stewart stated that with all financing projects done it is routine for banks or bonds officials to ask the Borough to back the debt. Ms. Tosti-Vasey would like that portion inspected by the Borough Solicitor. Mr. DeCusati is curious to know how other Authorities handle this. He asked why the Borough has to assume the debt. Mr. Brachbill stated the Authority does assume the

debt. Mr. Stewart stated the Borough Authority owns the plant in its entirety. There is an agreement with another entity on how the costs are shared, but in essence the Borough is the owners of the plant and the responsible entity involved. The motion passed with Ms. Tosti-Vasey voting no.

**STREETS** – No report.

**ENERGY & ENVIRONMENTAL CONSERVATION** – There was a brief review of issues that are on their plate. There will be a meeting in the near future.

**OLD BUSINESS**

- Healthcare Proposal is being scheduled for the next work session. That same evening the goal is to do a Borough's Association Resolution and send it in.

- Mrs. Brown reported in August 2015 a letter was received from Kennedy Dance Center regarding the use of the park. Mrs. Brown would like the letter included in the next packet. It asks for the use of Talleyrand Park for a Spring Performance on Friday or Saturday, followed by a picnic in the park on Sunday, May 1.

The \$20 application fee would be charged. It needs to be determined whether this is a non-profit or not.

This will be included on the agenda of the next meeting.

**NEW BUSINESS**

- Mr. Beigle made a motion to approve Resolution No. 011516-01, a resolution of Bellefonte Borough, Centre County, Pennsylvania, approving a general reimbursement agreement for highway project with the Pennsylvania Department of Transportation. Ms. Tosti-Vasey seconded the motion. Mrs. Dunne reported that the Borough is waiting for the General Reimbursement Agreement. This signifies the intent of the Borough to follow through on this. A voice vote was unanimous.

- Mr. Brachbill made a motion to accept the Centre County 2015 Hazard Mitigation Plan, Municipal Adoption Resolution, Resolution No. 021516-02. Mr. Beigle seconded the motion. A voice vote was unanimous.

**PUBLIC COMMENTS**

- Council updated Chief Schneider on their actions regarding the letter he provided regarding the construction site on South Allegheny Street adjacent to the Cadillac Building. The street is temporarily marked "one-way" and there is concern about access. Mr. Schneider is asking Council to take action to ask the contractor to move the staging area so the street can be open or temporarily block the parking off on South Allegheny Street on the side where the toy shop is located.

Council will contact the project manager and see if they can move everything to the back end of the parking space on the Cadillac Building side. Chief Schneider stated

where they put the fence and where the fence has migrated to with the size of vehicles that are parking in the angled parking spaces on the east side of South Allegheny Street there is not enough room to put the fire apparatus up through safely. And it is not practical with respect to any given time during the day. There are vehicles that are backed up coming down South Allegheny Street. Mr. Stewart will discuss this with the project manager.

- Ms. Tosti-Vasey reported about a year ago HARB allowed the first solar panel to be installed in Bellefonte. Bellefonte now has its first solar panel powered home in the Borough.

### **ADJOURNMENT**

- With no other business to come before Council, Mr. Beigle made a motion to adjourn the Council Meeting of February 15, 2016, at 8:32 p.m. Mr. DeCusati seconded the motion. A voice vote was unanimous.

### **EXECUTIVE SESSION**

- Following the meeting Council went into Executive Session to discuss real estate, legal and personnel issues.