

BELLEFONTE BOROUGH COUNCIL MEETING
May 2, 2016
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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, Tosti-Vasey

Members Excused:

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

Staff Present: Vana Dainty

Guests: Jon Eaton; Nancy Perkins; Jeanne Newlin; Jessa Miller; Frank Swancer; Emma Gosalvez; Pat Long, HARB; Rick & Jen Jacobs; Gordon Repine;

PUBLIC COMMENTS

- None.

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 April 18, 2016 Meeting Minutes
- Finance – Solicitor Invoice \$116.00

Ms. Tosti-Vasey requested the minutes be removed for correction and questions.

Mr. Brachbill made a motion to approve the consent agenda with the removal of the minutes. Mr. Johnson seconded the motion. A voice vote was unanimous.

- On page 13 of the minutes there is a question mark about 2/3 down. Mr. Holderman will review C-NET and see if it can be fixed. On page 16 at the top of the page on the sixth line down where it says "Ms. Tosti-Vasey said she thinks what was seen this evening was a concern from both people in Bellefonte from the Water Authority, from the SBWJA, and individuals and there is a problem that they are going through and have issues that can't be dealt with in an amicable way with good communication" should be changed to say "could be".

Ms. Tosti-Vasey made a motion to approve the minutes with the noted changes. Mr. DeCusati seconded the motion. A voice vote was unanimous.

REGULAR AGENDA

COMMUNICATIONS

WRITTEN

- A letter from the Centre County Planning Office related to the Centre Crest Zoning Amendment. There will be discussion later in the meeting.

- A response letter written by Nittany Engineering addressed to the SBWJA in regard to the Act 537 Study.

Mr. DeCusati stated there are some differences in the rates that SBWJA customers pay and what Bellefonte residents pay and he feels it is time to find out why there are differences and come up with the best solution for Bellefonte. The members of the Bellefonte Borough Authority would like to achieve the same goal. Mr. DeCusati would like an evaluation done to see what can be done to regionalize the rates. Mr. Beigle suggested allowing the engineer for the Authority to do a study. They can get more information and can point out where the inadequacies are with the systems. Ms. Tosti-Vasey suggested reviewing the 1976 agreement. Mr. Beigle said they will get the lawyers involved.

- A thank you letter from Penn State students for using Governor's Park for their Day of Service. They helped the Borough in the process.

- A thank you letter from Jim Dunne thanking the Borough Employees and the Police Department for their assistance during the Freight Building move. Mr. DeCusati thanked everyone involved to get the Freight Building moved to that site. It was a lot of work.

- Information regarding the CCMPO Public Comment Period on the 2017-2020 County Transportation Improvement Plan. During that thirty-day process for public comment there will be a public meeting on Wednesday, May 11, from

5:00 p.m. – 7:00 p.m. at the State College Municipal Building. There will be copies of it in State College. Mr. Stewart stated it would be on their website.

Ms. Tosti-Vasey would like to at least have it on the Borough website. Bellefonte Borough does not have a physical copy of this. Mr. Stewart will check to see if it could be made available or he could possibly make a link on the Bellefonte Borough website to the document. Mr. DeCusati said the document is 50 pages long. Mr. DeCusati said it is not carved in stone.

- There is information in the packets regarding a workshop on funding fire and EMS services. There is a Centre County Workshop Session. The workshop will be held on Wednesday, May 11.

- Ms. Tosti-Vasey commented on an email regarding an economic review of water flood. There will be a one day conference session by the Historic Museum Commission. It conflicts with the PSAB meeting. She feels it would be good if someone could attend. Mr. Stewart will check into it.

ORAL

- Ms. Tosti-Vasey said the asphalt curb on West Curtin Street has places on the right side where it is crumbled and when it rains there have been some minor flooding issues and the residents would like them repaired. Mr. Stewart will check into this.

- Ms. Tosti-Vasey said there is a pothole at the intersection of Shugart and Church.

- Ms. Tosti-Vasey had a request from an individual on Beaver Avenue that at the Dental Task Force Meeting individuals be considered who are at the end of their life and have dental issues.

- Mr. Beigle had two constituents talk to him in appearance of the front of the Post Office. He called the J. T. Thomas office and after talking to them decided the best option would be for the Borough Manager to write a letter regarding the concerns about the appearance of the front of the post office. The planters are deteriorating and some concrete work needs done on the steps.

- Mr. Johnson had a few constituents tell him they cannot log onto the Borough website. Mr. Stewart stated there are some difficulties with it. Technical people are trying to repair it. Hopefully the problems will be corrected by the end of the week.

SPECIAL COMMITTEE REPORTS

- The draft IDA meeting minutes from April 13, 2016, are in the packet for review.

MAYOR'S REPORT

- Mayor Wilson applauded the committee responsible for the Old House Fair. He apologized because he was not able to attend it, but understood that it went well.

Jean Newlin spoke. She was on the Planning Commission and Joseph Griffin was the chair. He was very, very devoted and a visionary. It has been 25 years since there was an Old House Fair in Bellefonte. They had online registration but people locally like papers and booklets about the program. The Old House Fair will be April 28 and 29 in 2017. They were grateful for the turnout. There were 162 people registered. Mrs. Dunne reported there were several Council members at the Old House Fair. There were a lot of ideas that could be used to enhance the community. Ms. Tosti-Vasey felt it was a wonderful event and there was something for everyone.

- The annual Big Spring Festival will be held Sunday, May 15. The fish in the stream are provided courtesy of Gene Stocker Chevy & Subaru. The fish come from the Elk Creek Hatchery. There will be lots of activities.

OFFICE OF COMMUNITY AFFAIRS

ZONING/PLANNING

- A memo was received from the April 25, 2016, Planning Commission. Council accepts the recommendation.

HARB

CERTIFICATES OF APPROPRIATENESS

- 1) 101 West Linn Street – Storm Doors
- 2) 517 Armor Street – Paint
- 3) 329 East Linn Street – Railing
- 4) 251 North Allegheny Street – Exterior Work; Porch Removal
- 5) 140 East Linn Street – New Roof
- 6) Centre County Courthouse Annex – Storm Windows

Mr. Beigle made a motion to approve all six Certificates of Appropriateness. Ms. Tosti-Vasey seconded the motion. Mrs. Brown asked about the removal of a porch in the Historic District but why is the removal of outbuildings denied. The porch removal will be replaced with what was originally there. A voice vote was unanimous.

- Denial of 237 West Linn Street – Removal of Outbuildings – Mr. Jacobs, property owner, addressed Council. Pictures of the outbuildings were shown. There is a smoke house and a root cellar that the homeowner would like to remove. The smokehouse is difficult to see from the alley. Mr. Jacobs has been told that neither structure is original to the house. He received his information from John Curtin Jr. The smokehouse has never been functional in his 37 years. The root cellar has not been

functional since 1998. It freezes in the winter and has cracks that allow hot air in during the summer.

Mr. Stewart reminded Council that HARB reviews projects that are something that can be reasonably seen from a public right-of-way.

Mr. Jacobs has plans for this property. One of the major problems with the property is the slope from the alley. There is a 14' drop from where they park down to the base. You walk down a sloping walkway and there are 16 steps to get down to the area. It is very hard to negotiate in the winter. Mr. DeCusati said this is one of the nicer properties in town. He said when you have a property of this value homeowners expect a garage. He feels this type of development should be allowed. When Mr. Jacobs purchased this property it was apartments.

Ms. Tosti-Vasey asked how building the addition on the house will affect the storm water; and how it will affect permeable land. Mr. Jacobs said they have met the 50% non-pervious land requirement. They do not have a finished basement, but it is not a wet basement.

Mr. Johnson said removing the two buildings allows him to be within the guidelines of the less than 50% non-pervious surface. HARB suggested denying the request for the removal of the buildings but recommended he go to Zoning and request a variance on the non-pervious requirement.

Mr. Jacobs stated the root cellar is in the middle of where they plan to install their garage. He would be willing to rebuild the smokehouse if that would be required.

It was requested that HARB members address the reason for denial. Pat Long said HARB does not take denying a project lightly. Most of the root cellars and smokehouses in the historic district have disappeared. They would like to see the buildings remain because they have been there over 100 years. Once you start precedence for taking down buildings, even if they aren't useful, they still have a part in history. According to the charge to HARB from the Department of Interiors, #6 says that if the building has significant value to property it needs to be replaced, not removed. Based on that, HARB said they think it does have significant value to the property, at least to the Historic District, and therefore they recommended denial.

Mr. DeCusati has a root cellar and put in a four-car garage. The root cellar adds no value to his house. The garage adds a big value.

Pat said the contractor said they could repurpose the smoke house to keep the historic character. She doesn't feel anyone would be upset if the root cellar needs to go. That is not what HARB likes to see, but they are willing to compromise. Mrs. Dunne asked if a site visit would help HARB sort out their thoughts. Pat Long said HARB would be willing to write a letter to the Zoning Hearing Board in favor of giving him more coverage on the property if he keeps the smokehouse. Ms. Dainty said HARB is willing to write a letter stating they are creating a hardship by denying the removal of the smokehouse. Mr. Jacobs will keep the smokehouse if possible, but if the Zoning Hearing Board denies his request he would like the option to remove the smokehouse.

Gordon Repine feels everything has not been brought out clearly. For the 50% coverage is they would need to tear everything down in the picture to the wall. If the smokehouse is reinstalled the coverage would be 49.95%. If both structures are left and the root cellar is taken, they are still 50+%. Mr. Repine showed a picture of the

alley side of the wall they would like to keep. Mr. Brachbill asked if the rebuilding of the smokehouse could be incorporated into the build. Mr. Repine said there isn't much reusable in the smokehouse or the root cellar.

Mr. DeCusati made a motion to approve the plan for 237 West Linn Street with the condition that they would try to retain the smokehouse. Mr. Johnson seconded the motion. Mrs. Brown asked if they still need to go the Zoning Hearing Board, which he will not if the project remains under 50%.

Ms. Tosti-Vasey amended the motion to state if the calculations show that it is over 50% HARB would write the hardship letter. Mr. Johnson seconded the motion. A voice vote on the amendment was unanimous.

The motion passed by a unanimous voice vote.

- Ms. Dainty provided "This Place Matters" signs. May is Preservation Month and everyone is encouraged to celebrate with the words "This Place Matters". It is suggested that Council members take this and take a picture of themselves in front of a building that matters and post it on social media.

BUILDING AND PROPERTY – Mr. DeCusati reported that there is a light out in front of the Courthouse. Mr. Stewart will send an email to the County and let them know.

- Mr. DeCusati talked with Deb Burger and he is very appreciative of the work that has been done on the Veteran's Bridge (High Street Bridge). She noted that when the flags are hanging there the flags hang down and touch the bridge and Ms. Burger requested the holders be placed at an angle to prevent this. Mr. Holderman said all the holders are at an angle, except the one that holds the American flag.

FINANCE AND GOVERNMENT PERFORMANCE – No report.

PARK AND RECREATION – Ms. Tosti-Vasey reported that at the Talleyrand Park/Parks & Recreation Committee meeting that was held two weeks ago they discussed the Butterfly Garden, the Edible Garden, and the grant for the pergola, brick walkway and the mud sill. There was a walk through at the end of the meeting but Ms. Tosti-Vasey and Mrs. Brown had to leave to attend other meetings.

HUMAN RESOURCES – Some new part-time seasonal staff has been hired. It will help with the grass cutting and other activities. Two were hired for streets and one was hired for parks.

- Mr. DeCusati made a motion to appoint Nancy Perkins for Council for the North Ward. Mrs. Dunne said there is a different procedure to fill the vacancies. She said you draw names from a hat to note the order in which to vote for the slot that has three applicants. Mr. Holderman noted all three candidates are nominated. They have submitted their application to be considered. All candidates will be nominated but will be voted on in a certain order. The Borough Code was not specific on the election process.

- Mr. Brachbill made a motion to appoint Kevin Clark as the South Ward Council member. Mr. Johnson seconded the motion. The motion passed. Ms. Tosti-Vasey asked if Kevin would be resigning from the multiple boards he is on from Bellefonte Borough because of conflict of interest. Mr. Clark did say he would resign from the Planning Commission. He will not resign from the Authority. Ms. Tosti-Vasey voted no because of her concern for Conflict of Interest.

- Mayor Wilson will pull the names for the North Ward seat. The first name is Jon Eaton. Second is Nancy Perkins. Third is Melissa Hombosky.

A candidate needs four votes to win the seat. A roll-call vote was taken for Jon Eaton. Beigle-no; Brachbill-no; Brown-no; DeCusati-no; Dunne-no; Johnson-no; Tosti-Vasey-no.

A roll-call vote was taken for Nancy Perkins. Beigle-no; Brachbill-no; Brown-no; DeCusati-yes; Dunne-yes; Johnson-no; Tosti-Vasey-yes. Three yes; four no.

A roll-call vote was taken for Melissa Hombosky. Beigle-yes; Brachbill-yes; Brown-yes; DeCusati-no; Dunne-no; Johnson-yes; Tosti-Vasey-no. Four yes; three no.

The new Council member is Melissa Hombosky. She will be sworn in at the Council meeting of May 16, 2016.

SAFETY – Mr. Brachbill reported he is participating in the workshop for collaborative approaches for funding for Fire & EMS services. Volunteerism is an important issue that needs to be dealt with. If it continues as it is in the next few years the Borough may need to look at other ways to protect it with fire fighters. Mr. Brachbill doesn't feel they should have to do fundraisers in order to volunteer to be a firefighter. At the next Nittany Valley Joint Planning Commission he is going to recommend that dialog be started between the other entities regarding fire fighting and how to address the issue.

- Mr. Brachbill invited anyone interested in being on the Bellefonte Fire Task Force to attend the next meeting on May 26th at 6:00 p.m. in Council Chambers. Mayor Wilson and Fire Department Chiefs agree that marketing for this needs to be done on a one-to-one basis. At one point there was discussion to develop tax incentives in the Borough for volunteer fire fighters.

WATER/SANITATION – No report.

STREETS – Mr. Johnson reported at the work session the traffic light pole selection was discussed. The choice is 8 Sharp Flute. This pole will be used in the three intersections in the Borough that will be redone. Mr. Stewart will get prices for lights on top of the poles and email Council members.

- Mr. Stewart is working with the bank on the sink hole.

ENERGY & ENVIRONMENTAL CONSERVATION – Karen Harvey, former chair, sent an email to Ms. Tosti-Vasey regarding a Bee Friendly Town. She had correspondence with Dr. Pete O'Donnell from the state who is working on the Bee Friendly project. He

said they are developing the process at the state level to create the Bee Friendly towns. He is hoping Bellefonte will be one of the first to receive this designation. Once it is completed at the state level it will be put back into the environmental to do what is needed.

- There were two issues from the Town Hall that should be referred to the Energy & Environmental Conservation. One was a request to look at public recycling downtown. She feels it should be done sooner rather than later when thinking about the IDA placing trash cans in the Waterfront District. The other one was a request to install bike racks downtown.

Mr. Beigle stated with the Town Hall meeting it brings up the subject of putting collection bins around and he feels this needs to go to the Centre County Solid Waste. Different municipalities collect everything all at one time rather than having a container that you have to separate. It is taken back to the facility and a machine separates everything. He recommended writing a letter and asking Centre County Solid Waste to start researching it. It would save manpower and money. Mr. Holderman said there was this issue with the Teener League field and the Little League Field. He feels it is a good idea to turn this over to the Energy & Environmental Committee to explore it.

OLD BUSINESS

- County-Borough Town Hall Meeting – Mr. Brachbill felt it was a good meeting and all the participants worked well. He wanted to bring up the parking. The County has their own van and the County creates some of the parking pressures that Bellefonte experiences. If they could schedule people that are required to come in to Court to park off-site and be shuttled in he feels there are places that might work with the County on this and it would relieve some of the pressure during this time for residents and businesses of Bellefonte. Ms. Tosti-Vasey said they could do it for judges and jury selection but not for cases where there is domestic violence, etc. Mayor Wilson thanked Gay Dunne for her idea to do this. He is happy to see that the County and the Borough are creating this closeness. The plan is to have one every six months. Ms. Tosti-Vasey thanked everyone involved. Mrs. Dunne said Ms. Tosti-Vasey and Michael Pipe had already primed the pump for this meeting.

NEW BUSINESS

- The Borough's new phone system will begin implementation Thursday. If there are any major glitches Mr. Stewart will inform Council. Once it is set up options for leaving messages and voice mail can be explored. The extensions will be three digits rather than two.

- The 2016 Draft Centre Region Building Safety & Property Maintenance Code was sent separately and will be discussed in a future work session. It is a large document. Mr. Holderman said this is what Mr. Schneider provided to Council last year. All the changes are highlighted.

- Mrs. Dunne reported there was an Executive Session before the meeting for legal issues. There will be a brief Executive Session following adjournment of the meeting for Personnel Reasons.

PUBLIC COMMENTS

- None.

ADJOURNMENT

- With no other business to come before Council Ms. Tosti-Vasey made a motion to adjourn the Council Meeting of May 2, 2016, at 9:30 p.m. Mr. Brachbill seconded the motion. A voice vote was unanimous.