

BELLEFONTE BOROUGH COUNCIL MEETING
September 19, 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: Tosti-Vasey, Beigle, Brachbill, Brown, Clark, DeCusati, Dunne, Hombosky, Johnson,

Members Excused: Ralph Stewart, Borough Manager

Officials Present: Don Holderman, Assistant Borough Manager
Mayor Tom Wilson

Staff Present: Vana Dainty, Keystone Community Coordinator

Guests: Walter Schneider, CRCA; Emma Gosalvez, Lock Haven Express;
Heidi Suckar;

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 September 6, 2016 Meeting Minutes
- Mayor – Police Exonerations
- Mayor – Police Report
- Finance – Voucher Summary August 2016 - \$993,384.20
- Finance – Treasurer’s Report August 2016
- New Business – Approval of Banner Resolution re Bellefonte Touchdown Club

Mr. Johnson made a motion to approve the Consent Agenda. Mr. Clark seconded the motion. A voice vote was unanimous.

REGULAR AGENDA

COMMUNICATIONS

WRITTEN

- A letter from the Centre County Board of Commissioners in regard to the Liquid Fuels Grant Program for 2017. If the Borough is interested, an application must be submitted before October 28, 2016. Typically they prefer to see smaller projects around the \$15,000.00 range because they like to spread the money out throughout the county. The light on the Thomas Street turn would be a good project.

Mr. Beigle made a motion to submit the Thomas Street Safety Lights project on the turn for the Liquid Fuels project. Mr. Johnson seconded the motion. Ms. Tosti-Vasey asked if parking along North Thomas Street could be a project, but was told that would not qualify. A voice vote was unanimous.

- A letter from the Nittany Nomads. They are looking at upgrading a walk they want to do in Bellefonte around Talleyrand Park September 22nd through the 25th. There would be approximately 100 people coming through. They would like to install temporary signs on stakes in Talleyrand Park. The 100 people would not be coming at the same time. The walk would go through Bellefonte. It is a self-guided tour.

Mrs. Brown made a motion to permit them to install their stakes only in the right-of-way in Talleyrand Park. Ms. Tosti-Vasey seconded the motion. The stakes are installed Thursday afternoon and removed Sunday afternoon. The stakes will only be in Talleyrand Park. They will be told that the permission is granted for only in the park. A voice vote was unanimous.

Mrs. Brown reminded Council members that the transcriptionist asked if the names of people making motions could be stated.

- A letter at the table requesting permission to conduct the CROP Walk activity on Sunday, October 30, at 2:00 p.m. It begins at the Faith Church and proceeds along Bishop Street, along Airport Road, into Governor's Park and then back along the same path. They have done this the past four or five years.

Mr. Beigle made a motion to approve this request. Mr. Johnson seconded the motion. They will not need traffic control or fire police. A voice vote was unanimous.

- Soap Box Derby – There is a memo in the packet with a lot of good details. There will be a Soap Box Derby Fun Race on the dead end of old SR220 road in the village of Mount Eagle on Sunday, October 2. The race is a family event to allow local youth the opportunity to race their cars one last time this fall while also providing the opportunity to those new to racing to learn about Soap Box Racing and to try their hand at driving a Soap Box Derby Car. Racing will begin at 9:00 a.m. It will pause at Noon for lunch and awards at the Mount Eagle Sportsman's Club adjacent to the track.

Racing will resume at approximately 1:00 p.m. with trial runs to those new to the sport who would like to learn about racing, followed by an opportunity for both veteran and new drivers to compete.

They would like to move toward returning racing to Allegheny Street on the weekend of April 22 and 23, 2017, with a sanctioned Rally Race. They would like to take this opportunity to introduce Bellefonte Borough Council and all who may have an interest in racing to this unique form of gravity racing. Bellefonte Borough Council is invited to visit them on October 2nd in Mount Eagle to watch part of the race and join for lunch as guests.

ORAL

- Ms. Dainty reminded Council Members to come to the Diamond on Saturday, September 24, at 10:30 a.m. to the grand opening of all new businesses. The total is now up to fourteen. There will be a basket giveaway.

- Ms. Tosti-Vasey received a phone call from Brenda Masullo regarding the rain storm on Sunday afternoon. They are located at the bottom of North Spring Street and Beaver Street. There was severe flooding in their yard. Ms. Tosti-Vasey contacted the Borough and received a response from Mr. Stewart indicating that they are going to check the storm drain near the house. A load of stones will be taken to repair their driveway.

SPECIAL COMMITTEE REPORTS

- Draft Safety Committee meeting minutes from September 14, 2016, are in the packet for review.

- Draft IDA meeting minutes from September 14, 2016, are in the packet for review. Mr. Holderman reported one of the IDA members requested that temporary signage for “no fishing” be installed along the Waterfront until permanent signage is completed. Ms. Tosti-Vasey asked how people in wheelchairs would be accommodated to be permitted to fish from the sidewalk. Mayor Wilson recommended not doing anything until permanent signs are installed. Mr. Johnson attended the IDA meeting, and he felt it seemed very important that some sort of temporary signs be installed.

Mrs. Brown made a motion to not install temporary signs and wait until the permanent signs are completed. Ms. Hombosky seconded the motion. Mr. Beigle asked how long until the new signs would be ready. Mr. Holderman said the Talleyrand Park Committee is in the process of getting a new “Welcome to Talleyrand Park” sign developed. There are some issues with the logo and wanting some consistency with signage since a number of signs will be installed around the park. A meeting is scheduled for the end of the month. Mr. Holderman feels it will take at least four to six weeks to make the signs and have them installed. Mr. Beigle said in two to three months people are going to get into habits and then when signs are installed they will become angry. Ms. Tosti-Vasey said if the motion is voted down then does another motion need to be made to put signs up or does that automatically say signs will be put

up. Mr. Beigle said you need to help people understand what is going on down there. Ms. Tosti-Vasey has seen someone in a wheelchair fishing from the sidewalk. Mr. Holderman would like to talk to the Fish and Boat Commission to see what their recommendation is. If you vote yes, it means you don't want the temporary signage. The motion did not pass.

Mr. Beigle made a motion to install temporary signs that say no fishing until the new signs are in place. Mr. DeCusati seconded the motion.

Ms. Tosti-Vasey amended the motion to add with the exception of people who use wheelchairs. Mr. Johnson seconded the motion. Ms. Tosti-Vasey said under the Pennsylvania Human Relations Act there are three different sections. One is under public accommodations. It is a federal law and a state law. The law requires where there is access to the public you must provide accommodations for people with disabilities so they have reasonable access to the same services and programs that other individuals have. Because people are allowed to walk into the stream and fish in the stream the Borough has to provide, since the walkway is there, some form of accommodation for people who use wheelchairs to have that same access to fishing. Mr. Beigle disputes this because if you have a stream that is open to the public, do you see accommodations to ADA? He feels if you put signs up that say "no fishing," it means "no fishing." Mr. Johnson asked where that has to be provided, if it does. Ms. Tosti-Vasey said the ordinance talks about the Waterfront walkway. Mr. Holderman recommends checking with the Borough Solicitor about this.

Mr. Brachbill made a motion to table the motion. Mr. DeCusati seconded the motion.

MAYOR'S REPORT

- Mayor Wilson reported there was no police officer available to attend the Council meeting. He will try to answer any questions Council members have.

- Mayor Wilson reported there was recently a complaint about speeding on Howard Street. In regard to Senate Bill 535, which is currently in the Senate, he received an email from the president of the State Mayor's Association. The Mayor's Association has been advocates of having Borough Police forces have the ability to use radar, which currently they do not. Pennsylvania is the number one state in deaths from speeding. He feels radar would help in reducing deaths from speeding. The Association is asking that the elected officials contact their State Representatives and House Members to endorse the passing of this bill. The bill has been amended a few times.

Mr. Brachbill made a motion to send a letter to Representative Benninghoff and Senator Corman asking them to vote in favor of Senate Bill 535. Mr. Beigle seconded the motion. Mr. Brachbill made the motion because there is speeding on most streets in the Borough. The motion passed with Ms. Tosti-Vasey voting no.

- Mrs. Dunne said she was pleased to see a Police Officer walking through Talleyrand Park and making observations.

OFFICE OF COMMUNITY AFFAIRS

ZONING/PLANNING

HARB

CERTIFICATES OF APPROPRIATENESS

1) 109 North Thomas Street

Mr. Beigle made a motion to approve the Certificate of Appropriateness for 109 North Thomas Street. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Ms. Tosti-Vasey made a motion that Section 330-13 under enforcement that the words “or both” be removed. Mr. Johnson seconded the motion. The motion is to send out for advertisement the amendment to the Historic District ordinance with the removal of the “or both” in Section 330-13. A voice vote was unanimous.

- Draft meeting minutes from the September 13, 2016, HARB meeting are in the packet for review.

BUILDING AND PROPERTY – Mr. DeCusati made a motion for the Borough to create a committee for Incentive and Rapid Response. Mr. Beigle seconded the motion. This would be an Ad Hoc Rapid Response Committee. A voice vote was unanimous.

- Ms. Tosti-Vasey made a motion to send the list of possible incentives to the Solicitor for review for legitimacy of all that apply. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Mrs. Dunne appointed the committee, which will consist of Mr. Beigle, Mr. Johnson, Mr. Brachbill, with Ms. Tosti-Vasey as the alternate. All have accepted the appointment. Mr. Stewart and Mr. Holderman will be involved with the committee, but Mrs. Dunne is not appointing them from Council. Mrs. Dunne will also serve as an alternate.

FINANCE AND GOVERNMENT PERFORMANCE – Mrs. Brown reported the Current vs. Prior for August 2016 and Budget vs. Actual for August 2016 are in the packet for review.

- The Audit report is at the table for Council to review. Mr. DeCusati would like Council to be reminded that this is a public document and when working with the Unions they often ask for this report. Mr. Holderman would like any questions emailed to Mr. Stewart, Ms. Walker or himself so a list of questions could be combined along with the answers for all Council members. There is a contract with the Auditing Company through the 2016 Audit.

PARK AND RECREATION – Ms. Hombosky reported there was an email from Connie Cole. She would like a letter to help move the process along of having two sites recognized as Pathway to Freedom Designations. The Freedom Designation is related to the Underground Railroad.

Ms. Tosti-Vasey made a motion to write a letter acknowledging that the Borough approves her going forward with this. Mr. Beigle seconded the motion. Mayor Wilson reported once you are designated as this it presents opportunities for grant monies. A voice vote was unanimous.

- Mr. Beigle made a motion to approve to advertise Section D - Modification of General Provisions Ordinance. Ms. Tosti-Vasey seconded the motion. Mr. Holderman reported fee schedules and fines are two separate entities. Fines do show up in ordinances and the fee schedule is kept out because it changes frequently. The revision that was made was the range of fines. A voice vote was unanimous.

- The Park & Recreation committee will meet with the Talleyrand Park Committee on Wednesday, September 28, at 4:00 p.m. to further discuss permanent signage.

HUMAN RESOURCES – Ms. Tosti-Vasey reported two candidates for the Refuse vacancy were interviewed prior to the Council meeting. An offer will be made.

SAFETY – Mr. Brachbill reported there was a Centre Region COG Public Safety meeting attended by Mr. Holderman. Mr. Holderman reported a lot of the meeting had to do with Centre Region Code. They are working on the changes and how that is playing through the different municipalities.

- Mr. Brachbill reported there is a monthly report from Centre Region Code called Comparison of Monthly Code Statistics for July 2016.

- On Thursday, September 22, there will be a Fire Prevention Task Force meeting at 6:00 p.m. followed by the Fire Executive Committee at 7:00 p.m. in Council Chambers.

WATER/SANITATION – Mr. Beigle reported the draft Authority meeting minutes from September 7, 2016, are in the packet for review.

- There is a meeting this evening in Benner Township regarding the biosolids. Mr. Beigle does not know if Bellefonte is represented at this meeting. Mr. Holderman reported they are taping the meeting, and it will be available online.

STREETS – Mr. Johnson reported punch list items were developed for School Street with the contractor. They are: double yellow lines need to be painted from Bishop Street intersection to approximately the end of the Burger King lot; seal the center of the road and along the curbs; replace the ADA dome back in its location; at Bishop Street

intersection reapply the heated matting for the crosswalk where required; Matt will determine if a bush needs to be replaced.

Mr. Johnson had a comment from a resident on High Street that represented many. The equipment made a big mess on High Street during the paving process. They hope the next time something like that happens, the contractor might be more careful with their equipment and fully-loaded trucks and that they clean up afterwards.

- The Streets Department is continuing to patch areas and rebuild storm drains throughout the Borough.

- Ms. Tosti-Vasey received a phone call from a resident. She and Mr. Stewart worked on having the issue resolved at this time.

- Mr. Johnson made a motion to have the Borough staff send out the questionnaire regarding the South Thomas Street parking situation to the residents of South Thomas Street and bring their responses to Council to determine what could be done to help the residents. Mr. Beigle seconded the motion. Mr. Clark reviewed the questionnaire. A voice vote was unanimous. Mrs. Dunne feels it will take a long time for the permit parking to come about. She would like a short-term approach to alleviate some of the issues during events that are occurring in the short run instead of the long run. She suggested erecting the barricades as a temporary measure. Mr. Clark suggested putting up signs that say parking limited to residents.

Ms. Tosti-Vasey asked if a questionnaire could be done for the residents on North Thomas Street as well. Mr. Brachbill said the issue is the property they are parking on is private parking and there is a new owner that will allow them to park there, but they will be charged. The charge is enough money to cover the taxes on the property. He asked if someone from the Borough could talk to the new owner and see if a solution could happen. Mr. Stewart is willing to call the new owner. Adding parallel parking along there would make a dangerous situation. This issue is between the residents of the street and the owner of the property. It was also suggested to reach out to the milk plant owner regarding their parking lot.

- Mr. Johnson would like an update on the traffic lights at the corner of Water/High Street and the two traffic posts that were previously approved. Mr. Holderman has not received any update on it. Mr. Holderman said all the "one-calls" were being marked at the intersections.

- Mrs. Brown reported there is a street light out on the corner of Allegheny Street and Howard Street by the library. Mr. Johnson reported there is one out at the corner of East Beaver Street and Wilson Street. Mr. DeCusati reported there are two lights out on the Waterfront wall.

ENERGY & ENVIRONMENTAL CONSERVATION – Mr. Clark reported he and Mr. Holderman took the first group of Penn State students on a tour of the Musser Lane facility on Friday. They will bring a proposal for the project back in a few weeks. They

are treating it like a business proposition. The second group will be taken on a tour on Wednesday afternoon.

-He and Mr. Holderman are working with Dr. O'Donnell on the Bee Friendly City Permit Application. There were some questions.

OLD BUSINESS

- Solicitor's opinion on Unordained Streets – Mr. Holderman feels this will be helpful to the Borough with a lot of determinations on where the Borough responsibility lies. When there are storms with high winds as much as \$15,000.00 has been spent on tree cleanup. It is also pointed out that there are certain areas where if the homeowners are willing to purchase the property, this would provide an opportunity to take it out of what would be considered the Borough and let the owners take care of this property, which in many cases they are already using as their own. There is a process in the Borough code that is followed with these situations.

Ms. Tosti-Vasey asked if this could be put on the Borough website and homeowners could ask questions. Mr. Holderman said it could be put on the website as a pdf.

NEW BUSINESS

- 2017 MMO's – The Chief Administrative Office is required to inform the governing body of each municipality of the plans expected financial obligation for the coming year. There are three Minimum Municipal Obligation worksheets in the packet for Council. The first one is the Defined Contribution Plan, which is \$29,427.00. This is the Pension Plan that was modified so the new employees in public works and administrative offices, hired after January 1, 2013, are in this plan. The second MMO is \$443,359.00. This is for Public Works. The Police 2017 MMO is estimated at \$137,606.00.

Mr. DeCusati believes there are lots of examples around the state where the state and school districts and municipalities have not met this minimum obligation. He feels this is a path that could be taken, as other municipalities have done.

Mr. Holderman said the MMO's keep the pension plan solvent. The money from the state has not yet come. Some of the MMO will be offset by what is received from the state.

Ms. Tosti-Vasey made a motion to accept the MMO's. Mr. Beigle seconded the motion. If you accept the MMO's it means you trust them to use. The motion passed with Mr. DeCusati voting no.

- Mr. DeCusati made a motion to conduct the Flu Shot Clinic per the normal guidelines. Mr. Beigle seconded the motion. Ms. Stanton will find a provider to give the shots. Ms. Tosti-Vasey asked if they are getting the shots for free or are they encouraged to go to their physician and get reimbursed. The Borough provides this service to encourage employees to get the flu shot so they don't get sick and have to miss work. A voice vote was unanimous.

PUBLIC COMMENTS

- None.

ADJOURNMENT

- With no other business to come before Council, Mr. Beigle made a motion to adjourn the Council Meeting of September 19, 2016, at 9:09 p.m. Ms. Tosti-Vasey seconded the motion. A voice vote was unanimous.