

BELLEFONTE BOROUGH COUNCIL MEETING
October 17, 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, Clark, DeCusati, Dunne, Hombosky, Johnson, Tosti-Vasey,

Members Excused:

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

Staff Present: Vana Dainty, Keystone Community Coordinator

Guests: Emma Gosalvez, Lock Haven Express; Mark Filetti, Cynthia Bauer-Levy

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 October 3, 2016 Meeting Minutes
- Mayor – Police Report
- Mayor – Police Exonerations
- Finance – Treasurer’s Report
- Finance – Voucher Summary September 2016: \$970,778.13

Mr. Johnson made a motion to approve the Consent Agenda with the minutes removed. Mr. Beigle seconded the motion. A voice vote was unanimous.

Ms. Tosti-Vasey had a correction to page 12 of the minutes at the very top where it says "Ms. Tosti-Vasey asked if it was possible to have parking on both sides of the street" but what she said was "the residential side" because she knows the road is narrow and there is no way there is room to have parking on both sides of the street.

Ms. Tosti-Vasey made a motion to approve the minutes as amended. Mr. Johnson seconded the motion. A voice vote was unanimous.

REGULAR AGENDA

COMMUNICATIONS

WRITTEN

- A letter from DCNR in regard to a Grants program that is available in January 2017. There are a lot of park related items that are eligible. Mrs. Dunne referred this to the Parks & Recreation Committee for review and recommendation.

- A letter from Jeffrey Stover, Esq., in regard to questions raised by Council in regard to a Rapid Response Incentive and the ADA accommodations along the new walkway specifically for fishing.

Ms. Tosti-Vasey feels Mr. Stover has it partially correct and incorrect in his analysis. She feels there is still an ADA conflict because people can fish while standing in the water per the Game Commission rules, but they can't fish from the sidewalk according to the Ordinance. In his letter he says there are recommended types of piers that need to be set up should fishing be allowed. He is correct that a pier wasn't built out into the water that is accessible. There were no plans to have a pier. However, what was done was create stairs down into Spring Creek so people could walk down into the water. When that accommodation was made to allow people to get into the water under Federal and State Law the Borough must also figure out a way to allow those who can't walk down to the water to fish from the property. She feels if that is not done the complaint can and will most likely be filed with the Pennsylvania Human Relations Commission in Harrisburg or with the Department of Justice Civil Rights Division in DC, where Mr. Stover got the information on the case regarding the pier.

Mr. DeCusati said unless the stairs were made for people to walk down and look at the stream. Mr. Holderman feels it was more for kayak access. Mr. Beigle asked if it could be designated for kayak and boat launching. Mayor Wilson is not disputing the lawyer's finding on this, but he said the Borough is not required to provide, although it could if it wanted to provide some place for the handicapped to fish. Another way to deal with this, and Mayor Wilson publically said he was totally wrong about the fly fishermen not fishing from the bank and not casting because he was down there walking and someone almost cast him into the stream. He emphasized that he was totally wrong about that. The other way to deal with this is to go back to the Fish Commission and say we would like to ban fishing in that area totally. That would be

something that some people would be in great favor of. He suggested once again saying fishing begins at the Lamb Street Bridge downstream.

Mark Filetti, 109 South Thomas Street, suggested allowing fishing on certain days during certain hours.

It was asked if access for handicap must be provided in that area of the stream. Ms. Tosti-Vasey said because the stairs are on the walkway it is inviting people who want to fish to go down into the stream and use the Game Commission's right to fish in the stream. The stairs are not wheelchair accessible so under the Public Accommodations Law it defines Public Accommodations as any accommodation, resort or amusement which is open to solicit the patronage of the general public including, but not limited to inns, taverns, etc. There is a whole list of things and then it comes to amusement, recreation, parks, fairs, bowling alleys, etc.

Mr. Beigle agrees with what Tom said. He said by Talleyrand Park there is no fishing and every year fish are brought in and stocked. He feels it would be appropriate to extend it the whole way down to Lamb Street so the people can look at the fish down through there.

Mrs. Dunne referred this to the Parks & Recreation for further discussion.

- A letter from PennDOT responding to Mr. Stewart's request to do a parking study along North Thomas Street between Lamb Street and Railroad Street. They did the study and said the road is too narrow to accommodate parking along North Thomas Street and the appropriate position of the Borough would be to install the signage.

Ms. Tosti-Vasey received an email from Carla Conklin related to this. She wanted to thank Council and them in addressing the curve and the accidents on North Thomas Street. She said the new signs are just wonderful. Some of the locals still try to round the curve at 40 mph, but others seem that they are being more cautious. She continued that people who are currently parking along Thomas Street does somewhat obstruct the view of the signs. The parking makes shadows on the signs at night time.

Mr. Stewart received a similar email from another resident saying basically the same thing. There are more hazards now with people parking there than there was prior to this.

- A note that a private property owner on North Thomas Street placed on some vehicles was in the Drop Box with a handwritten note asking that it be presented to Council.

- A letter from the PA Liquor Control Board informing Council that the request to enforce the noise ordinance with local police was approved. It is a three-year term starting in October.

- A letter request from Belle/Key for funding for the Business Incubator Facility.

- An invitation to the Centre County Economic Development Summit on Thursday, October 27th, at the Mountainview Country Club. Mrs. Dunne plans to attend.

- A letter requesting paving on East Church Lane. That will be held for now.

- A letter from DEP informing Council that the Act 537 Special Study was approved. This was a study looking at using the Biomag Process at the Wastewater Treatment Plant. The Authority will receive this letter in their next packet.

Mr. Beigle informed Council that this approval is a big burden lifted off the Authority's shoulders. Senator Corman's office was very helpful in this process. He thanked Senator Corman's office for their help. Mr. Stewart wholeheartedly agrees with that comment. Brandy Rider in Senator Corman's office went out of her way to expedite this process and review. It saves a lot of time and now things can move on to the next stage.

- A response letter from State Representative Kerry Benninghoff in regard to Senate Bill 535. This was the bill about local police using radar. He added a note saying he does not anticipate action on this piece of legislation before the session ends.

- Ms. Tosti-Vasey, Mrs. Dunne, Ms. Dainty and six to eight members of the community attended a public hearing in Boalsburg on Historic Preservation with Preservation PA and the Pennsylvania Historic Preservation Officers. They had postcards that were put together by the Centre County Historical Society. On Sunday, October 30th, from 3-5 p.m. at the Penn State Centre County Visitors Center on the University Park Campus they will be presenting Historic Preservation Awards honoring Centre County individuals and organizations for their excellent work in preserving the County's heritage. She has extra postcards for anyone that would like to have one.

- Ms. Tosti-Vasey had another question from Carla Conklin. She asked if the mill had been sold. Because it is in bankruptcy they can't do anything until the bankruptcy court judge makes a ruling. That will happen on November 4th.

ORAL

- Cynthia Bauer-Levy, 107 South Thomas Street, and Mark Filetti, 109 South Thomas Street received a letter asking them what they would like to have done with the parking situation on South Thomas. Mark previously asked to have the parking spaces repainted because they are so large. There are many people that would like to park there. She owns her property and has one car and they would like to be able to park in front of their house, but there are some people who are using that parking space to permanently park their car sometimes for up to three or four months. There are some who have commercial dump trucks that are permanently parked there. There are problems that they would like to have addressed. Most of the people on South Thomas do not want to have to pay for parking. They suggested Council could send a notice to owners that only a certain number of cars could be parked on that street and if they have more cars to park they would have to find other places to park. One house might have four or five cars. They sent in their surveys, but wondered if there was any discussion on that.

Mrs. Dunne said the Streets Committee would be giving a report later in the meeting.

SPECIAL COMMITTEE REPORTS

- Draft Safety Committee meeting minutes from October 12, 2016 are in the packet for review.
- Draft IDA meeting minutes from October 12, 2016 are in the packet for review.
- The Adhoc Rapid Response Team will be meeting next Monday, October 24th, at 5:30 p.m.

MAYOR'S REPORT

- Mayor Wilson turned the meeting over to Sergeant Brower. Sergeant Brower said the lack of parking is one of the biggest things talked about in the North Thomas Street area. It is an issue and he feels their pain when he drives through there. When the Streets Committee decides what to do he would like to know so the officers can enforce what is decided.

OFFICE OF COMMUNITY AFFAIRS

- Dave Lingenfelter, a board member of the Bell/Key Community Development Association, addressed Council. They are here to help Bellefonte be a better place. One of the things they are involved in is trying to bring an incubator into the Bellefonte area. What it does for Bellefonte is help with the tax base; brings more people to Bellefonte; and helps those getting started out in business. You house them in a more open type forum. They are there for 12-18 months and then they move on. They are currently working with Chris Summers who owns on Water Street. He is willing to build out to their specifications. They worked on a lease with him and came to some agreements but they need some help financially. Their request is for the Borough to help out with \$50,000.00 so they could finish the build out to get things prepared and ready to go with the first tenant.

Ms. Dainty reported that the space is 1400 square feet and will hold twelve people. Eight desks will be lockable so people can keep their things there and lock up what will be there. There will be four other stations for people who don't need a permanent space and don't need to worry about locking things. There will be 24-hour access for the people coming. They will all be paying a rent. With that rent they will get wireless Wi-Fi. If hardwire is required it will be addressed at that point. There are two bathrooms, but according to code for that amount of people only one is required. It will be enlarged to become ADA accessible. The other one will become a kitchen. There is one little area that will be a conference room that can either be closed off or left open. There will be some small rooms about the size of a phone booth where if they need to make a private phone conversation they will be able to go into this area and have a private phone conversation with someone. Chris will be helping with it and he is being more than generous.

Dave said Ms. Dainty is very involved in helping get this off the ground. Ms. Dainty said this program was started before Mark Higgins was elected in to office. He has been included in some conversations, but this is a Bell/Key initiative. One parking space and a handicap parking space will be provided, but you can also park in the municipal lot and walk over through the park. Ms. Tosti-Vasey asked if a crosswalk would be required. Mr. Stewart said that is a PennDOT road and they will not allow a crosswalk “mid-walk”. Mr. Stewart said PennDOT will be redoing the sidewalk and railing in the near future when they do the turn on West Linn Street. Mr. Summers will not be charging any rent before February and then it will be at a reduced rate until they get the businesses in there and begin collecting rent. He is very willing to have a business on his property. The rent will only be \$300.00 a month for as long as necessary. They do not have any tenants until they know what they will have available. The architects that did the Freight Building are working with Chris on this building. The name will be Spring Board.

When Mark Higgins got elected he came to some of their meetings and has been a part of it. The County looked at the Mattress World Building but the time frame and the financial end of that is so much larger and it can’t happen quickly. People who will be graduating from Spring Board would be going to that facility.

Dave said they were lead to believe that the County would provide some funding, but now they don’t think that will be happening. Mrs. Dunne would like a business plan for the Finance Committee when they meet on October 26th. Ms. Tosti-Vasey would also like information from the County included. Mr. Johnson would like to see a floor plan. Mr. Brachbill is concerned with the debt that the Borough is already carrying with the Armory and the Waterfront.

ZONING/PLANNING

HARB

CERTIFICATES OF APPROPRIATENESS

- 1) 409 West High Street
- 2) 150 North Water Street

Mr. Brachbill made a motion to approve both Certificates of Appropriateness. Mr. Beigle seconded the motion. A voice vote was unanimous.

- Draft HARB meeting minutes from October 11, 2016 are in the packet for review.

BUILDING AND PROPERTY – Mr. Stewart reported the Howard Street Municipal Parking lot needs to be repaved. He asked Council to consider hiring a design professional to examine the layout of the lot to make it more efficient; storm drainage issues; and the metering system.

Ms. Tosti-Vasey made a motion to put a bid out to find a design service for the Howard Street Parking Lot. Mr. Johnson seconded the motion. Mrs. Dunne suggested including the CVS Municipal Lot as an alternate option. Ms. Tosti-Vasey made an

amendment to her original motion to include the CVS Municipal Lot. Mr. Johnson seconded the amended motion. A voice vote was unanimous.

A voice vote was unanimous to send out an RFP for both Municipal Parking Lots.

FINANCE AND GOVERNMENT PERFORMANCE – Mrs. Brown reported the Budget vs. Actual for September 2016 is in the packet for review as well as the Current vs. Prior for September 2016.

- There will be a Finance Committee meeting in the Borough on Wednesday, October 26th, at 5:30 p.m. in the Borough Building.

PARK AND RECREATION – Ms. Hombosky reported the Talleyrand Committee will meet on October 27th to have a park walk through.

HUMAN RESOURCES – Ms. Tosti-Vasey reported main effort of the committee is dealing with the Collective Bargaining Agreement with the Police Association. Discussions are ongoing and they are relatively cordial at this point. She is optimistic that there will be a contract by the end of the year.

SAFETY – Mr. Brachbill reported the draft Centre Region COG Public Safety Committee Minutes from September 13, 2016 are in the packet for review.

- The Centre Region Code Comparison of Monthly Code Statistics for August 2016 are in the packet.

- The Safety Committee met this evening to review information that he brought back from the COG Public Safety Committee meeting held last Tuesday concerning an agreement with Benner Township and providing emergency management assistance to some Penn State properties. That would not affect fire services. It is mainly emergency management information at this point. They are working on a draft agreement. Bellefonte cannot provide a vote because it is a budgetary item.

WATER/SANITATION – Mr. Beigle reported the Water Withdrawal report is back to normal.

- Mr. Stewart and Mrs. Dunne went to the Dental Health Task Force meeting with CVIM's Dental Health Task Force. It was very informal. They are on the same path. They are progressing and exploring ways to get parents and children to take care of teeth or dental health issues. They discussed Backpack Programs where you get funds for toothpaste, toothbrushes and floss in backpacks for kids. There are no statistics on Bellefonte or the local area, but it is just what the schools are telling them. Mr. Stewart felt there was some value in doing some coordination. He hasn't discussed this with the committee Bellefonte established. They have some professional people involved. There is a person from Penn State that does Rural Health Initiatives. He feels there is some good resources there.

Mrs. Dunne emphasized that their collaboration with the CVIM group can be strengthened with the education initiative. That is what they are really focusing on. The target population are the children that do not have ready access to dental care. The Backpack Program is very important because the backpack contains food for a weekend. They are adding the dental items for those same families and there will be a little educational thing that goes with it. It is very basic asking if they brushed their teeth and other things on a weekly checklist. They are submitting grants for subsidization of this. The person working on the rural health is a dental hygienist and they are looking forward to possibly next spring possibly bringing in some of the Bellefonte clients to CVIM for their "Give A Kid A Smile" day. These are some of the specifics that were discussed that fit in very nicely with what they are trying to have done in Bellefonte. It will be discussed with Bellefonte's Dental Health Task Force in the near future.

STREETS – Mr. Johnson thanked the residents that filled out the questionnaire on South Thomas Street. Seventeen were sent out and ten responded. It was quite clear that they didn't want to be charged for permitted parking on the street. As a committee they decided not to pursue that possibility. They feel at this time it would be best to make the spaces 20'-21', but that probably won't happen until Spring 2017. During a special event at Talleyrand Park they would provide temporary barriers that would say "for resident parking only". They did not discuss the long-term parking. The Committee could review this. The residents have issues where a resident has gone on vacation for four months and leave a vehicle in a spot. Also, for three or four weeks there has been a dump truck parked there. It was suggested that a letter be sent to the owners saying they can't use the parking spaces as a "garage" type parking. Mr. Stewart said there are certain streets where you can't park for an extended period of time. He will review it and see if it applies here. Mr. DeCusati said when vehicles are parked long-term they still have to maintain the registration and inspection. If they do not then the police need to be notified.

- A publication was received from PennDOT in regard to the North Thomas Street parallel parking. PennDOT has determined that it is too narrow of a street to have parallel parking. The Streets Committee has recommended that the Borough sign that street as "no parking".

Mr. Johnson made a motion to install signs stating "no parking" on North Thomas Street from Lamb Street to Railroad Street. Mr. DeCusati seconded the motion. The Committee will review the situation on Scott Lane to determine whether it be made one-way or not. It is felt that there wouldn't be room to allow parking on one side of Scott Lane. Mr. DeCusati feels if the signage is installed it will make the situation worse and there will be more complaints. Mr. Beigle said there is plenty of space to park on Lamb Street. Ms. Tosti-Vasey feels there is one particular pocket in the town having lack of parking. As a town it needs to be figured out how to help the community so people stay in the homes in the town and not have them go downhill because basic services are not being provided. One of the services is streets and parking. She appreciates that Mr. Johnson is going to go back and try to figure out what can be done in terms of Scott Lane. Mr. Brachbill feels Council should go to PennDOT because they are the ones that created the problem. Ms. Tosti-Vasey said at the last

meeting it was discussed asking PennDOT if the road could be widened enough to put parking on one side. Mr. Stewart did suggest to PennDOT about parking on the other side and looking at widening but they said in the letter that the street isn't wide enough to allow parking. Ms. Tosti-Vasey knows PennDOT's plans and costs are multiple years out, but she feels as a Council you need to say what needs to be done to make the entire community accessible. It won't be solved overnight, but it needs to be explored. Mrs. Dunne feels parallel parking would create a safety issue. Ms. Tosti-Vasey understands that temporarily they will be able to park in the parking lot by Gamble Mill. The motion passed with Mr. DeCusati, Ms. Tosti-Vasey and Mrs. Brown voting no. Mr. DeCusati requested a roll-call vote: Beigle-yes; Brachbill-yes; Brown-no; Clark-yes; DeCusati-no; Dunne-yes; Hombosky-yes; Johnson-yes; Tosti-Vasey-no. The motion passed.

- Mr. Johnson made a motion to pay the invoice to Nastase Construction in the amount of \$17,000.00, but to retain \$5,000.00 for incidentals that need to be completed on the job site. Mr. Clark seconded the motion. A voice vote was unanimous.

- Mr. Johnson made a motion to make the two parking spaces on the west side of Allegheny Street near the Cadillac Building at the corner of Bishop Street and Allegheny Street; they would be signed 15 minute parking only and you must have your flashers on. Mr. DeCusati seconded the motion. They would be used to visit the local merchants in that area. Mrs. Brown asked how this is our problem, but not Thomas Street. Mr. Johnson said it isn't a problem because there is parking available and it is just being used to make temporary parking. If there were something like this on Thomas Street it wouldn't be an issue. Mr. Stewart said there is parking permitted here. Mr. Brachbill asked if it would make sense to have a temporary time to monitor it for three to six months. Mr. Stewart said the exact same scenario was done at Dairy Queen when it was there. Mrs. Brown said it was done and the parking enforcement officer said it was very hard to regulate. Mr. Stewart said this parking is not designated for the Cadillac Building. There are other businesses in the area that would benefit from it and if it doesn't work it can be removed in six months. Mr. Brachbill asked if it could be one space on each side rather than both spaces on the up side. Mr. Brachbill asked if a 15-minute parking could be added on the down side. Mr. Stewart said the first space could be used but it would be too close to the intersection to add one. Mayor Wilson hates to see the parking spaces go unused when residents may need them for overnight parking. He asked if there was some way to make them 15-minute parking and then at night until a certain time in the morning on certain days have them be utilized for overnight parking because at night they will sit empty. Mr. Stewart said there is alternate street parking year round so three nights out of the week they will have to be moved anyhow. It is year round because the street sweeper is run in the summertime and the snow is plowed in the wintertime. Mr. Stewart said the Streets Committee could look at these things and then come back with a recommendation. It was suggested it could be done for a certain period of time and then make adjustments if need be. The motion passed with Mrs. Brown voting no.

- Ms. Hombosky said there is some minor graffiti on a street sign on the corner of Hale and Cowdrick. It no longer says Hale, it says Halen.

ENERGY & ENVIRONMENTAL CONSERVATION – Mr. Clark is waiting to hear back from the Penn State students.

OLD BUSINESS

- Borough Website Redesign – progressing - Ms. Hombosky said there was a meeting last week that went over the wireframes for the new website. It is coming along nicely. There are some adjustments that were made and there are some questions they have for other committees, but she feels it is going to look really great.

- Mr. Johnson reported a few months ago Council supported a letter of support for the YMCA to be moved from Bellefonte to a new location. At that time Council was going to be visited by someone from the YMCA with a new plan. He asked if there has been any progress with that design and when might that person come in and present what Council supported. Mr. Stewart has not heard back. He postponed coming in to the work session and he will be coming in at a more appropriate time, possibly when funding is more secure. The funding needs to be in place to make everything happen. There was a vote and a letter of support, but it is a very long-term project.

- Mrs. Dunne reported that all Council members received a follow-up email about the ornamental traffic lights at the High and Water Street intersection informing that there could not be fluting on the mast arm for that intersection. The post is not an issue.

- Mrs. Dunne reported there was a work session before this Council meeting regarding the CDBG funding and the use for the 2016 CDBG funds.

Mr. Brachbill made a motion to commit the monies from the 2016 CDBG funds for sprinkler systems. Mr. Beigle seconded the motion. A voice vote was unanimous.

NEW BUSINESS

- There is a letter/resolution from Mockenhaupt regarding the Police Pension Plan. It is an auditing piece of paperwork that keeps the Police Pension Employee Contribution to 3.9%. Every year this resolution needs to be approved and kept in the file for the auditors.

Mr. Beigle made a motion to approve Resolution 10172016-01 regarding the Borough of Bellefonte Police Pension Plan. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Trick-or-treat will be observed Monday, October 31st, from 6-8 p.m. Mr. Brachbill feels it would be helpful if residents are out and being aware because of the new thing going on called “clowning”. If you see something suspicious report it.

- The Bellefonte High School Homecoming parade is Thursday, October 20th, at 6:00 p.m.

- The Halloween parade went well on Saturday, October 15th. There was a nice turn out. Mayor Wilson thanked the committee members for putting that on. The Fall Festival was nice also. Mrs. Brown added that Bellefonte Historic Railroad Society brought down the speeder rides and it was very, very well received. They gave over 300 rides.

- The Fall Foliage train rides will be next weekend.

PUBLIC COMMENTS

- None.

ADJOURNMENT

- With no other business to come before Council Ms. Tosti-Vasey made a motion to adjourn the Council Meeting of October 17, 2016 at 8:59 p.m. Mr. DeCusati seconded the motion. A voice vote was unanimous.