

COUNCIL MEETING OF JUNE 18, 2012
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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. Members were asked to turn off their cell phones or put them on vibrate.

ROLL CALL

Members Present: Wilson, Dainty, Brown, Schneider, Provan, Beigle, DeCusati, Dunne, Halderman, McCullough, Confer,

Members Excused:

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

Staff Present: Robert Keal, HARB;

Guests: Mike Swartz; Cynthia Hahn, C-NET; Monteca Confer; Brenda Confer; Gary Hoover, Holly Wilson, HBI; Tom McKee, Hartman Group; Candace Dannaker, C-NET

APPROVAL OF MINUTES

Mr. Provan made a motion to approve the minutes of the Bellefonte Borough Council meeting of June 4, 2012. Ms. Dainty seconded the motion. A voice vote was unanimous to accept the minutes as presented.

COMMUNICATIONS

WRITTEN

- A letter from Fredrick M. Bean, Vice President, Public Sector Division, Benecon Benefit Administrators & Consultants, providing a check in the amount of \$38,436, which was for 40% of the surplus claim fund from the 2011 plan year.

- A letter from Kimberly Fragola, Assistant Director of Administration, CATA regarding the 2012/2013 Agreement for Bus Service.

Ms. Dainty made a motion to approve the agreements as submitted. Mrs. Dunne seconded the motion.

Ms. Dainty made a motion to approve the Resolution as well as the agreements. Mr. Provan seconded the motion. A voice vote was unanimous.

- A letter from Steven W. Snook, Fire Police Captain, Pleasant Gap Fire Co. No. 1, requesting the help of the Bellefonte Fire Police for their parade night on Thursday, July 26, 2012 to help with traffic control on Route #144 starting at 4:30 p.m. The parade starts at 6:30 p.m. This will be forwarded to the Fire Chief.

- A letter from Catherine Dupuis requesting permission to have their stage placed on High Street adjacent to Talleyrand Park from Water Street to Potter Street on High Street instead of on the block between Allegheny and Spring Streets. The letter also includes a request to hang their banners on the bridge over the spring at High Street. This event was previously approved for July 28, 2012.

Mr. Provan made a motion to approve the request as presented. Mr. Wilson seconded the motion. Blocking this section of High Street makes the use of fire apparatus easier than blocking the middle of town. This would be a benefit for the restaurant Cafe on the Park. A voice vote was unanimous.

- A letter from Dina Ruggiero, Paratransit Coordinator, CATA, providing information on a meeting to be held on Thursday, June 28, 2012, at 11:00 a.m. in the CATA Board Room at 2081 West Whitehall Road, State College, regarding the CATARIDE Program.

Also, beginning July 1, 2012, the senior citizen fare will increase to \$2.50.

A copy of the CATA FY 2012/2013 Final Budget is in the packets for review.

- A letter from Jennifer Herbstritt, HHL Race Chairperson, requesting permission to have High Street closed from 7:00 a.m. to 1:00 p.m. on Saturday, August 18, 2012, to accommodate the race activities for the sixth annual *Herbie's Hometown Loop* four-mile run and sixteen-mile bike ride activities. This was approved at the previous Council meeting.

- A Conservation Update was provided from the Centre County Conservation District regarding Talleyrand Park. Mrs. Dunne provided recent photographs of the Landscape Garden taken on June 9, 2012, and gave an update on the garden. She thanked everyone who participated in the upgrade of the garden.

- A Citizen Centric Report prepared by Shippensburg University student Robert Hilton, is in the packets for review.

- A letter from Cynthia Mazzant, Tempest Studios, requesting the use of Talleyrand Park for a theatre art program sponsored by the PA Council of the Arts during the weekend of August 3–5.

Ms. Dainty made a motion to approve this request. Mrs. Dunne seconded the motion. Mr. DeCusati feels a stipulation should be put on how late the activity goes on because of the concerts in the park. The event will be over by 5:00 p.m. A voice vote was unanimous.

- A letter from the Chamber of Commerce. Gary Hoover, Chamber Director, addressed Council regarding this. The Chamber requested the use of the Train Station Gazebo area of Talleyrand Park so Bellefonte's hometown businesses and organizations could set up during the Arts & Crafts Fair. They feel it would give the downtown businesses and organizations the benefit of closeness to the Arts & Crafts Fair, and it would give the exhibitors of the Arts & Crafts Fair the benefit of a larger event and the greater draw of people. It would also allow the committee for the Arts & Crafts Fair to enforce its regulations on exhibitors.

Ms. Dainty reported the Arts & Crafts Fair committee requested the entire park, and they have plans to come the whole way down to the Gazebo. The Chamber's request would be in conflict with what the Committee is doing. Mr. Hoover stated the Train Station is the Chamber's area so that wouldn't be a problem. He does not feel the Arts & Crafts Committee should be using the entire park. He hopes the Arts & Crafts Committee could work with them to support the downtown businesses and organizations.

Holly Wilson, President of Historic Bellefonte Inc., requested Council consider the request. She feels it is in the general interest of everyone to work cooperatively with the downtown as well as with all other organizations. She stated according to the minutes that were posted there was not a request for the use of the park written and posted on the Council minutes. They feel this would be a win/win situation for everyone, and their desire is for the suspension bridge and stream to create a buffer with a natural break.

Ms. Dainty made a motion to table this request until representation from the Bellefonte Arts & Crafts Fair can be present. The motion died due to a lack of second.

Ms. Dainty is co-chair of the Bellefonte Arts & Crafts Fair. She stated they went to some of the downtown vendors and offered them a solution. The Committee was supposed to hear back from the vendors but never heard anything. There were things going on that they were going to be allowed a chance to be the first to be co-sponsor of this event. They never responded to the Committee on anything. The Arts & Crafts Committee was sent an email today requesting that they meet this week on dates that neither Debbie Hamilton or Vana Dainty could make. She stated the Fair Committee worked very, very hard on working on how to figure this out, and they are working on...there are more vendors this year than last year. The set-up will be done differently and they are coming down across the bridge. She stated if they want the fair to die just say so, and they will be done with it.

Mayor Goldman stated the fair was here longer than Ms. Dainty and he is sure it will survive.

Mr. Schneider requested the minutes be researched to see when this was approved for use of the park and what was approved. Mrs. Dunne suggested the video be watched because it would have the entire conversation whereas the minutes do not.

Mr. Holderman stated the Borough was asked to review the minutes previous to this meeting and nothing could be found in the minutes.

Mr. Wilson made a motion to approve the request from the Chamber of Commerce and HBI to grant the Gazebo side of the park to the downtown merchants of Bellefonte. Mrs. Brown seconded the motion. Mr. Beigle feels a peacemaker needs to be found to sit down and straighten this situation out. He feels we are a community and everyone should get along and work together. Holly stated the HBI group and the Chamber have asked for the committee to meet with them on two separate occasions providing multiple dates and the committee members have not been able to. HBI and the Chamber are trying to work the situation out. They do not see it as a confrontational issue as it has turned in to be. They are trying to make this a win/win situation and are not trying to undermine the committee in any way, shape or form. HBI and the Chamber have been approached by multiple downtown individuals asking for consideration. In moving the fair, the downtown merchants need visitors directed to the uptown. A shuttle bus with a stop in the uptown area was in operation last year. Mr. Schneider questioned whether it would be advantageous to close High Street between Water Street and Potter Street to extend the park a little bit. Mrs. Wilson states the application for vendors states that their art must be hand-made. There was concern raised by paying vendors that there was material being sold that was not handmade. That is a reason why they do not want the merchants with retail items interspersed with vendors that are bringing handmade items in. Ms. Dainty stated the vendors pay to come here; eat in the restaurants; this is how they make their living; they spend the night. When purses are manufactured in China they are cheaper than ones made by hand and therefore the vendors lose. The Committee proposed downtown merchants have sidewalk sales, and it was going to be included in all the fair advertising. She stated when the fair was in the streets, the merchants did not like it because they felt the fair blocked their stores. Now that the fair is moved out of the streets, they still do not like it. The Committee tried very hard to work with them. The shuttle buses have two stops in the downtown. Ms. Dainty stated the first date proposed to meet was right before they were going to meet with the vendors, and they did not want the meeting until after that. After the meeting, nothing was said until today. A survey was given to the vendors last year where they were asked what they liked and did not like. They did not like the downtown businesses being at the fair. The purpose of the fair is to bring art to the people of Bellefonte. Mr. Wilson questioned if the purpose of the fair was to support downtown Bellefonte. Mr. Hoover reported there will always be people complaining but for years the fair was in the midst of downtown businesses and organizations, including the library. The vendors seemed to make out okay so he does not foresee this separation as a major problem. He stated they are just asking that the hometown businesses and organizations be on the same footing that the temporary exhibitors are put on. He does not feel the fair committee is trying to work together. Mrs. Brown feels very strongly about supporting the downtown businesses. They are the people that are here all year.

Holly Wilson addressed a question by stating Historic Bellefonte, Inc. is an umbrella organization. It is an organization with a committee structure. The Bellefonte Arts & Crafts Fair is actually under HBI. They are a committee that falls under the auspices of HBI Inc. as does the Cruise, Victorian Christmas, and the Children's Fair as well as other organizations. Although they are a committee, they are independent. The mission of HBI is to support the downtown and the revitalization of the downtown. They work very well with other organizations such as the Chamber, the Bellefonte Railroad and other organizations. They have applied for grants and have been cooperative with all of those. The Arts & Crafts Fair is wonderful because it does bring art to Bellefonte. There is also the Bellefonte Museum, which is an art museum, and is one of HBI's committees with a mission to bring art to Bellefonte. Arts & Crafts are offered in the fair but HBI also wants to support those who support us each and every year. In the past when the Arts & Crafts Fair was in the downtown, the local merchants got some overflow from that. The merchants do not get the residual foot traffic with the new location of the fair.

Mr. Provan feels it would be a conflict of interest for Council to choose a side in this matter because there is a representative from Council on the HBI board. He would like the people who made the motion to rescind it so the involved parties could work it out and not make Council the party responsible for making the decision.

Mr. Schneider made a motion to table. Ms. Dainty seconded the motion. Mr. Schneider rescinded his motion to table.

The motion on the floor is to approve the request from the Chamber of Commerce and Historic Bellefonte, Inc. for use of the Gazebo/Train Station section of Talleyrand. The motion was denied.

ORAL

- Candace Dannaker addressed Council as a C-NET Board Representative. She provided an annual report and slides. She stated C-NET is unique. She supports C-NET because it really is the only station available to keep all systems abreast of what is currently going on in local government. That is an invaluable tool for everyone to have.

Cynthia Hahn, C-NET Executive Director addressed Council. In 2011 there were 23 sponsored programs, which were all Borough Council meetings. There were an additional 39 Bulletin Board messages. They are valued as being 1/10 of a program so the 39 messages were valued as an additional 3.9 programs. The total sponsorship in 2011 was 26.9 programs. In 2011 the Borough was responsible for 5.2% of all the programming by all the member organizations. That is strikingly similar to the amount of programming by the Bellefonte Area School District. She reviewed the funding formula. She provided copies to Council Members as well as a copy of when the Council meetings airs on C-NET. It was noted that the recorded C-NET meeting is always available online.

- Tom McKee addressed Council providing a Selective Insurance presentation. He provided handouts to Council members. The purpose of his presentation is to update Council on how the Borough is doing from a Worker's Compensation standpoint.

They are trying to get trending in a positive way in providing a safer work environment for the employees, thus reducing injuries and worker's compensation claims. There is a financial impact to the Borough when a safe work environment is provided. Mr. McKee reviewed the handouts page by page with Council members. When three years are calculated one year has to drop out so the year that dropped out for 2012 was the 2007 year. In 2010 and 2011 there were no large losses, which means what the Borough is doing is working. The last few pages are updates from a prior report Council received from Selective Insurance. Tom credits the Safety Committee for the good work they are doing. All the employees that sit on that committee are concerned, care, and are making decisions and bringing up issues that are real issues rather than just complaining about things. He stated Ralph and Don respond to the issues and this makes the Committee work.

Tom thanked Council for supporting the Safety Committee.

- Mike Swartz inquired of Council why the sign was put up in front of Russ Brown's house for fifteen minute parking. Mr. Stewart stated Mr. Brown talked with him a few weeks ago and said there was a parking problem in front of his house and requested a sign be put up. Mr. Stewart tried to solve the problem by installing the sign. Mr. Swartz feels he activated the problem worse. Mr. Swartz stated Mr. Brown told him he wanted the sign installed so no one parked in front of his house. Mr. Swartz feels an educated decision needs to be made regarding this. Mr. Stewart was not aware of any of the problems on this street.

This matter has been turned over to the Streets Committee for review and recommendation.

- Mr. Provan thanked everyone who attended the events surrounding the Bellefonte Cruise. He thanked those that brought vehicles to the open cruise on Friday night. He thanked the public that came to the Sock Hope. He thanked those that had vehicles on display on Saturday and the people that came to look at the cars. He gave special thanks to the Borough employees who prepped the town to make it look gorgeous by cleaning it, hanging the banners, watering the flowers, repainting the lines on the street and anything else they did that wasn't mentioned. He thanked the employees for cleaning up after the cruise. He thanked the Police department for their help and strategies for the cruise. He thanked Judge Cleland for making sure the plan developed was followed. He thanked the media for being so nice and cooperative. He thanked the HBI Cruise Committee and all the volunteers that made the Cruise a huge success as well as the fire police and HBI.

SPECIAL COMMITTEE REPORTS

- None.

MAYOR'S REPORT

- Mayor Goldman stated his report will be the report of all the committees.

OFFICE OF COMMUNITY AFFAIRS

ZONING/PLANNING

CERTIFICATES OF APPROPRIATENESS

The HARB recommends that Certificates of Appropriateness be issued for the following projects:

- 1) 390 East Linn Street/Reconstruct wood framed pergola, deteriorated and damaged by rain storms. New pergola will be in the same location and of similar design, incorporating details and colors of the existing house.
- 2) 245rear West Linn Street/Install new picket fence at front yard property line. Replace existing windows in sunroom at west end of the house.

The HARB recommends that a Certificate of Appropriateness be denied for the following project:

- 1) 206 West High Street/Remove historic crown trim at roof eave. Install new wood blocking, metal fascia and residential style gutter.

Mr. Provan made a motion to approve 390 East Linn Street and 245rear West Linn Street be approved to receive Certificates of Appropriateness as recommended by HARB. Mr. Schneider seconded the motion. A voice vote was unanimous.

Mrs. Dunne made a motion to deny the request for a Certificate of Appropriateness for 206 West High Street. Mr. Provan seconded the motion. Mr. Provan would like to hear what the options are for the people that did the work without approval. He questioned whether a list was available with HARB showing where the gutter is available. He questioned whether the molding size was available and whether it would be permitted to put it up rather than a wood molding. Mr. Keal reported they should have replaced the fascia and crown in-kind. A voice vote was unanimous.

COMMITTEES

Building & Property – There was no report.

Finance and Government Performance – Mrs. Dunne made a motion to file for audit the May 2012 Vouchers in the amount of \$1,272,427.07. Mr. Wilson seconded the motion. A voice vote was unanimous.

May 2012 Vouchers

General	19669 - 19761	\$ 285,873.29
Streetlighting	806 - 815	\$ 33,195.79
Bellefonte Fire Dept.	1319 - 1336	\$ 10,987.15
Fire Equipment	171 - 174	\$ 12,937.74
Parks & Recreation	1631 - 1655, 99	\$ 31,881.60

Water	8477 - 8551	\$ 138,760.14
Sanitation	9667 - 9723	\$ 340,384.75
Refuse	2525 - 2557, 994	\$ 105,196.88
Swimming Pool	506 - 508	\$ 409.81
CDBG	-	\$ 0.00
Special Projects	105, 165, 206	\$ 7,160.96
Highway Aid	134	\$ 500.00
Capital Projects	-	\$ 0.00
Bulk Water Sales	178 - 182	<u>\$ 305,138.96</u>
Total:		<u>\$ 1,272,427.07</u>

- Ms. Dainty made a motion to pay an invoice to McQuaide Blasko in the amount of \$374.56. Mr. Provan seconded the motion. A voice vote was unanimous.

Park & Recreation – Mrs. Dunne reported there is a sign newly installed for the Sculpture Garden and it has admonitions hanging below it of things that should not be done in the park such as no smoking, no dogs and the park closes at sunset.

Mrs. Brown reported there is an increase of skateboarders in the park, fifteen to twenty kids) and she suggested perhaps the police would like to speak to them. Mayor Goldman requested she call the police when she sees it and he will ask them to respond.

Human Resources – Mr. Provan made a motion to move ahead with advertising in the newspaper for a General Electrician Position. Mr. Wilson seconded the motion. A voice vote was unanimous.

Safety – Mr. Wilson requested the bids be open for the Logan Fire Company generator. This is on Apparatus 14, which is the Rescue Engine. The apparatus was purchased in 2001. The original generator was made by Amps. It has been maintained properly. Amps is no longer in business and it is felt the generator should no longer be repaired.

The bids were as follows:

Taza Fire Equipment Company, Ebensburg, \$20,291.61

Fire & Rescue Products, Harrisburg, \$24,747.71

Tyler Fire Equipment, Elmira, New York, \$20,221.66

The bids were turned over to the Safety Committee for review and recommendation.

The money for this was budgeted and included in the budget that was passed. This will be distributed accordingly between the fire departments. This money is money from a previous year that was under budget. This expense was foreseen and they have tried to remain under budget to pay for this item.

The Selection Committee reviewed the applications for the Fire Department Chief vacancy. This will be reviewed at the Fire Executive Committee meeting on June 21st and a recommendation will be brought to Council on July 2nd.

Water/Sanitation – Mr. Beigle reported the water withdrawal report was in the packet for review. The new water station is in use. Mr. Beigle thanked Bill Comly and Bob Dorman for their work in getting the station operating.

Ms. Dainty appreciates the Authority meeting minutes in the packet.

Streets – Mr. DeCusati noted that the repairs to the water drain system on Lamb Street were completed in time for the cruise. He thanked everyone involved in the repairs.

Mr. DeCusati made a motion to put the paving list up to bid for an amount not to exceed \$25,000.00 of work. Mr. Provan seconded the motion. A voice vote was unanimous.

A letter was received from Erik Brown, P.E., District Traffic Engineer, engineering district 2-0, PennDOT regarding a ruling from PennDOT related to the intersection of Airport Road with Governor's Park Road. The Committee will review this.

Energy & Environmental Conservation – Mr. Stewart reported the July 2, 2012 Council meeting will be a joint meeting with the Bellefonte Borough Authority to approve financing documents related to the energy project at the Wastewater Treatment Plant as well as the Corning Pump House.

Junior Council Report – There was no report.

OLD BUSINESS

- Act 101 Section 902 DEP Grant for \$275k is a recycling grant the Borough has been successful for receiving in the past. It requires a 10% match. The Borough would use the money to purchase two pieces of equipment for the Musser Lane property in the recycling efforts. It requires approximately a match of up to \$25,000.00.

Mr. Beigle made a motion to pursue the Act 101 Section 902 DEP Grant. Mr. Schneider seconded the motion. A voice vote was unanimous.

- Mr. Holderman reported there were two fantastic candidates for the IDA vacancy. The IDA recommended Raymond Fisher to fill the vacancy on the IDA.

Ms. Dainty made a motion to appoint Raymond Fisher to the IDA. Mr. Provan seconded the motion. A voice vote was unanimous.

NEW BUSINESS

- None.

TICKET EXONERATIONS

- Mr. Schneider made a motion to approve the ticket exonerations. Mr. Provan seconded the motion. A voice vote was unanimous.

ADJOURNMENT

- With no other business to come before Council Mr. DeCusati made a motion to adjourn the meeting of June 18, 2012 at 9:10 PM. Mr. Wilson seconded the motion. A voice vote was unanimous.