

COUNCIL MEETING OF NOVEMBER 5, 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. Those in attendance were asked to either turn their cell phones off 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

Staff Present:

Guests:

APPROVAL OF MINUTES

Mr. Schneider made a motion to approve the minutes of the Bellefonte Borough Council meeting of October 15, 2012. Ms. Dainty seconded the motion. On page six of the minutes it states Tom Wilson is the secretary of the Fire Prevention Task Force, which he is not. Under Oral Communications Mr. Wilson proposed opening the Mayor's position to the public and it is not mentioned in the minutes. A voice vote was unanimous to approve the minutes as presented.

COMMUNICATIONS

WRITTEN

- A memo regarding minor changes to the Handicapped Parking Application.

Ms. Dainty made a motion to approve the Handicapped Parking Application changes. Mr. Schneider seconded the motion. Mrs. Dunne suggested the application be changed to read "By my signature below, I swear that I do not have access to any off-street parking...". Mr. Schneider questioned whether they have to show all information for renewal that was required for the application, which they will not.

Ms. Dainty made a motion to amend the statement to eliminate the words "other means of" on the submitted form. Mr. Schneider seconded the motion. A voice vote was unanimous.

- Copies of handouts received by Mr. Halderman at the 2012 Pennsylvania State Association of Boroughs conference (PSAB) were provided to Council members.

- A letter from Robert S. Decker, PE, President, Nittany Engineering & Associates LLC providing a proposal regarding the review of streets, water lines and sewer lines.

Mrs. Dunne questioned whether storm water management is covered. Mr. Stewart stated if a street is going to be rebuilt the drainage situation will be reviewed.

- A Banner Application and Permit for Our Town Bellefonte to hang a banner on Allegheny Street between Cherry Lane and Bishop Street.

Mr. Schneider made a motion to approve this request as presented. Ms. Dainty seconded the motion. A voice vote was unanimous.

- A letter from Sally R. Houser, Event chair, Bellefonte Victorian Christmas, is in the packets for Council members to review.

- A memo from Ralph Stewart regarding odors from farms in the area.

- A memo from Ralph Stewart in reference to a Health Benefit Seminar given by Benecon on Thursday, November 15th, and Friday, November 16th. The seminar will be held in Lancaster, PA. Because the Borough is a customer the only cost would be for the lodging.

Mr. Schneider made a motion to approve Ralph Stewart attending this seminar. Mr. Provan seconded the motion. A voice vote was unanimous.

- An email from Brian and Gail Simpson regarding leaves. A recommendation was made that staff handle this situation.

- A letter from Jeff Johnson thanking the streets crew for clearing leaves during the heavy rains from Hurricane Sandy that came through. Mr. DeCusati stated the crews did a fantastic job. He was impressed with the crews being out on the day after the hurricane. Commendations to them for doing a fine job despite weather conditions.

ORAL

- Mr. Provan receives complaints from his constituents regarding cats and dogs so he reminded everybody in the Borough that there are ordinances with penalties that include fines for dogs that are not on leashes and for cats that are causing problems. He reminded residents if they have cats and are left outside, not considered a house cat, it runs all sorts of risks from being run over by a car to unkind people. With winter coming residents need to be sure their pets are protected.

SPECIAL COMMITTEE REPORTS

- Mrs. Dunne reported the Spring Creek Watershed Commission had a meeting on October 17th addressing the topic of MS4 permits for storm water discharge. A number of municipalities in the watershed were required to go through the permit process. This has to do with the Chesapeake Bay Watershed and their TSS, nitrogen, and phosphorous quantities that are permitted to be discharged. This involves urbanized areas and the communities that were required to complete permits were based on the 2000 census because it was started before the 2010 census results. Bellefonte Borough will be included in the next round, which will be 2017. It is a fairly long process. Mr. Beigle questioned if they would voice some concern regarding funding helping municipalities to comply.

Mrs. Dunne made a motion to approve the 2013 Funding to the Spring Creek Watershed. Ms. Dainty seconded the motion.

- Mrs. Dunne reported the Fire Protection Task Force organized quickly and had a meeting last Tuesday. Most of the time was spent focusing on expanding the 2007 Task Force recommendation to implement a strong public education program in fire safety. A lot of ideas were expressed including the need to engage various target populations, specifically tenants of buildings, property owners and the community at large ranging from elementary school age to the elderly. The ideas need to be evaluated to make sure they are as budget neutral as possible. That will be pursued in future meetings. The future meetings will be on the first Thursday of each month beginning in December. The meetings are public meetings. The dates are December 6th, January 3rd, February 7th and March 7th at 6:00 PM, except for the December 6th meeting which begins at 5:00 PM in the Council chambers.

MAYOR'S REPORT

- Mr. Halderman reported the following six people expressed interest in the Mayor's position: Buddy Johnson, Ken Addis, Michael Miller, Richard Knupp, Robert Krebs and Thomas Wilson. All those candidates will be asked to come early before the next Council meeting and will be given five minutes to present their case as to why they would like to be mayor. At the Council meeting Mr. Halderman will take motions for the position of Mayor. He will take nominations one at a time from the floor. The nominated names will be placed in a hat and drawn out and that will be the first person that will be voted for mayor. If a majority is not received then the next name drawn will be voted on. This will continue until a Mayor is elected.

OFFICE OF COMMUNITY AFFAIRS

ZONING/PLANNING

CERTIFICATES OF APPROPRIATENESS

1) 413 East Linn Street/Remove original 2/2 double hung windows. Install new 2/2 metal clad wood windows to match existing.

Mr. Schneider made a motion to approve the Certificate of Appropriateness for 413 East Linn Street as presented by HARB. Ms. Dainty seconded the motion. Mr. Provan stated under the HARB discussion of this review it states they will be installing metal clad exterior and wood interiors. The current windows have storm windows on the outside. The windows are not original - he questioned if that means the window or the storm window. It means the windows have been replaced at some time. Mr. Provan does not understand why the homeowner would store a non-original window in a project like this. He feels it is a fire hazard to have this stored in the basement. He would like HARB to review this policy. A voice vote was unanimous.

COMMITTEES

Building & Property – The 2012 downtown Christmas tree is being donated by Mr. Terry Lindquist of Oak Lane. A letter will be sent thanking him for the tree. It was requested that a sign be placed near the tree stating it was donated by Mr. Lindquist.

The Garden Club has been thanked for their plantings this summer.

Finance and Government Performance – The budget will be worked on during the next two meetings and will be approved before the end of the year.

Mrs. Dunne questioned the clarification of making contributions to non-profits through Shelley Houk. Ms. Dainty sent an email, but Ms. Houk is currently on vacation.

Park & Recreation – Mr. Holderman reported there was a meeting with Mrs. Dunne, Mrs. Brown, Mr. Holderman with municipalities at McQuaide Blasko. Tom Schrack is working on the process of putting together the Articles of Incorporation for the establishment of an Authority. He has a set of by-laws, which were included in the Council packet in draft form. There is also an ordinance for Council to review. For the sake of Bellefonte Borough there is still a search for two people to sit on this Authority. It should be Borough residents that are interested in Kepler Pool and working on the Authority and hopefully establishing something that will move the pool forward for long term and will handle the renovations that need to take place.

Mr. Beigle made a motion to advertise the Ordinance for the establishment of the Nittany Valley Recreational Authority for approval. Mrs. Brown seconded the motion. A voice vote was unanimous.

- Mr. Holderman reported Howard Long provided some figures for the 2012 Kepler pool season. The actual attendance increase over 2011 was approximately 2,400 customers but because of the increase and extra guard work there was a loss in revenue of \$5,800.00.

- Mrs. Dunne reported there is a nice stone wall erected along the banks of the stream and the mud seal applied. The water during Hurricane Sandy rose and remained quite high during the storm and there was no erosion at all of either structure. There are some tree limbs that will be removed from the falls.

Human Resources – Mr. Provan reported the Human Resources Negotiation Committee included Council members as well as the Borough Manager, Assistant Manager and President have been quite busy and have been meeting quite a bit to do negotiations as well as meet with

both the Police Union and the Streets Union. Meetings have been held with both and the committee is in the process of creating counter-proposals. There will be a meeting with each union at least once before Christmas.

- The new part-time traffic officer, Shawn Lose, has begun. He will be in training mode for several weeks and then will be out on the streets doing traffic duty, which has been a concern of residents.

Safety – Mr. Wilson reported the Fire Executive Committee meeting was held on Thursday, October 25th. The minutes are in the packet for review. For clarification to Council this will be confusing because there is a Fire Executive Committee that is comprised of the Fire Department Personnel and then there is the Fire Protection Task Force.

Mr. Wilson stated there is a pending work-order for the dry hydrants to be installed. The Committee requested that they be moved up on the list.

Water/Sanitation – Mr. Beigle reported the next Authority meeting will be held on Tuesday, November 6th, at 7:00 PM.

- Ms. Dainty stated on Cherry Lane a water main was replaced and the road has never been repaired.

- Mr. DeCusati questioned the possibility of determining the sewer rates based on water allocation rates. Mr. Beigle stated it is difficult when people water their gardens and wash their cars and the water does not go back into the sewer.

Streets – Mr. DeCusati reported the pads are moving along for the school crossing on Allegheny Street. Delivery of the lights will be soon. The lights will be solar lights.

- Mr. DeCusati commended the crews for the leaf collection that is being done.

- Mrs. Brown questioned whether the road going to Coleville is a Borough Street or a state road, which it is a state road. She questioned whether blinking yellow lights could be obtained for the sharp turn. She stated it is very dangerous when you come out of Sunnyside. Mr. DeCusati commented there has been discussion on adding a street light. Mr. Stewart stated the blinking yellow light is the same process as the one to obtain the school lights on Allegheny Street. He stated it is a very expensive project. Mr. Stewart will talk to Chief Weaver and request additional enforcement.

- Mr. Stewart requested permission to resubmit the Liquid Fuels Grant Application for a Storm Water Drainage Project on West Lamb Street requesting \$15,000.00 towards that project. Council directed Mr. Stewart to submit the application.

Energy & Environmental Conservation – There was no report.

Junior Council Report – All members of the Borough were reminded to exercise their right to vote in the Tuesday elections.

OLD BUSINESS

- A letter from Thomas S. Schrack to Bellefonte Borough Council regarding the Bellefonte Cemetery Association Proposal. This will be discussed in Executive Session.

- Mr. Holderman reported the Tree Ordinance was approved with the addition of the wording "with the exception of minor pruning". That has been advertised.

Mr. DeCusati made a motion to approve the amended Tree Ordinance. Mr. Beigle seconded the motion. A voice vote was unanimous.

- Mr. Holderman reported on www.bellefonte.net under the Government Tab you can find all the ordinances from the Codification. If you click on the Borough Ordinances it will bring up ecode and you do a search.

NEW BUSINESS

- Mr. Schneider made a motion to approve Courtesy Parking for the holiday season beginning on Black Friday, November 23, 2012 through January 1st, 2013. Mrs. Dunne seconded the motion. A voice vote was unanimous.

- Mr. Wilson made a motion to approve the Agreement between Bellefonte Borough and the Bellefonte Area School District for salt purchase. Mr. Beigle seconded the motion. The Borough has a 200 ton window. The minimum required purchase amount is 400 tons but it can be as much as 600 tons. A voice vote was unanimous.

- Mrs. Brown reported several residents that watch C-NET feel Council goes through the written communications quite fast because they do not know what is being said. Mr. Stewart will try to either read or summarize the letters in the future.

- Mr. Holderman would like to meet with the Sanitation Committee at the end of the meeting for a few minutes.

- Mr. Halderman stated as the representative for the Borough's Association he went to the first meeting of the Pennsylvania One-Call System a couple weeks ago. It is a very large board of directors and a very diverse group - heavy pipe line gas companies, electric companies, etc. The biggest thing they want to do is provide safety for the public and make sure everyone is aware before they dig to call 811 and have someone come out and locate the lines. Pennsylvania has the largest membership in 811 in the nation.

ADJOURNMENT

- With no other business to come before Council Mr. Schneider made a motion to adjourn the meeting of November 5, 2012 at 8:40 PM. Ms. Dainty seconded the motion. A voice vote was unanimous.