

**BELLEFONTE BOROUGH COUNCIL MEETING**  
**MARCH 3, 2014**  
**www.bellefonte.net**

**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. It was requested that cell phones either be placed on vibrate or turned off.

**ROLL CALL**

Members Present: Beigle, Brachbill, Brown, DeCusati, Dunne, Halderman, Harvey, Schneider, Spicer

Members Excused: Li, Ramish

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

Staff Present:

Guests: Patrick North

**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 February 17, 2014 meeting minutes
- Communications - Letter Request re Big Spring Festival
- Communications - Letter Request re Bellefonte Cruise
- Communications - Letter Request re Arts & Craft Fair
- Communications - Letter Request re YMCA of Centre County Triathlon
- Finance - McQuaide Blasko Invoice

Mr. Schneider made a motion to approve the Consent Agenda as listed. Mrs. Dunne seconded the motion. A voice vote was unanimous.

## **COMMUNICATIONS**

### **WRITTEN**

- An email from Elizabeth Lose, GIS Planner, Centre County Planning and Community Development Office providing an informal notice of the County Comprehensive Plan update for the economic development chapter. They would like feedback on this topic.

- A letter from William Monsell resigning from the Library Board. Mr. Halderman understands why he resigned but he is sad that he did resign.

- A notice to "Save the Date" for a reception in honor of Hugh A. Mose upon his retirement from the Centre Area Transportation Authority for Friday, June 20, 2014 from 5 p.m. - 7 p.m. at the Ramada Inn.

- The Centre County Metropolitan Planning Organization (CCMPO) is sponsoring a public comment period on the Route 322 Potters Mills Gap project on Thursday, March 13, 2014 from 5 p.m. - 7 p.m. at the Potter Township Municipal building.

- The Pennsylvania Liquor Control Board is having a grand opening at the new Fine Wine and Goods Spirits Store at the Weis Markets Shopping Center, 178 Buckaroo Lane, on Tuesday, March 18, at 11 a.m.

- A letter from Robert E. Lamb, Children's Fair Co-Chairman, requesting permission to hold the Children's Fair on East Curtin and Armor Streets on Saturday, June 7 from 10 a.m. - 3 p.m. (There will be no rain date for the fair.)

The request includes closure of Armor Street from Linn to Curtin and Curtin Street from Armor to Wilson from 7:00 a.m. until 4:00 p.m. on the day of the Fair. They would also like a special trash pickup at the conclusion of the fair. The request also includes permission to hang a banner either along West High Street or Allegheny Street.

Mr. Schneider made a motion to approve this request as submitted. Mrs. Brown seconded the motion. A voice vote was unanimous.

- The Keystone Community Program is having a kick-off public meeting on Thursday, March 13, at 6:30 p.m. The second meeting will be Thursday, March 20 at 6:30 p.m. Both meetings will be held at the Bellefonte Middle School Cafeteria.

### **ORAL**

- Patrick North, 375 East Linn Street, addressed Council. Approximately a month ago he wrote an open letter to the Borough Council asking for reform in the way the Borough handles Abandoned and Blighted Property. He reiterated that when the

Borough has the power to dispense with valuable real estate they have the responsibility to be transparent about it. He would also like the Borough to use a transparent process to help ensure that the public gets the best deal possible. His issue was with the Garman property. He understands Mr. Stewart feels the Borough does not have any obligation to the people of Bellefonte to follow these standards. He is requesting that Council revise their approach to ensure that he does have that obligation.

## **SPECIAL COMMITTEE REPORTS**

- The Industrial Development Authority Meeting draft minutes from the February 12, 2014 meeting are in the packet for review.

- Mr. Beigle informed Council that the University Park Airport has a flight to Atlanta every Saturday morning, and it returns every Saturday evening. It could be a permanent flight if there is a need for it.

Mrs. Dunne asked if the University Park Airport has trouble getting qualified regional pilots. Mr. Beigle does not have the answer to that question.

- Mrs. Dunne reported on the Spring Creek Watershed Commission meeting that was held on Wednesday, February 19. The speaker was Dave Gilbert from Gannett Fleming. His message was about a regional storm water authority. You can access the programming by streaming, and Mrs. Dunne recommended Council members listen to what he has to say.

There will be a free workshop on Wednesday, March 19, from 9 a.m. - 3 p.m. at the Central Pennsylvania Visitors and Convention Bureau on Innovative Solutions to Storm Water Management. There will be many good speakers. Please contact Mrs. Dunne if you would like to attend the workshop.

## **MAYOR'S REPORT**

- Mayor Wilson reviewed the police report:

1) **Armed Robbery**—Mayor Wilson complimented the Bellefonte Police Department, Spring Township Police Department and the Pennsylvania State Police for the quick apprehension of the perpetrator of the attempted armed robbery at Parrish Drug Store. His kudos to the officer that acted very quickly to apprehend the perpetrator.

2) **Central Booking**—For the 4th year in a row the Central Booking facility is self-supportive, and there will be NO charge to municipalities participating for 2014.

3) **Pedestrian Laws**—With warmer weather on the horizon, the Bellefonte Police would like to remind both pedestrians and motorists that they have obligations set forth by the Pennsylvania Vehicle code.

**A. Pedestrians**—cannot step from a place of safety into the path of an oncoming vehicle regardless if in a crosswalk or not. They can be cited for impeding the flow of traffic.

**B. Motorists**—Once a pedestrian is lawfully within a pedestrian crosswalk, motorist **SHALL NOT** operate their vehicle within the crosswalk regardless of what side the pedestrian is in. (Meaning both sides of the crosswalk are "owned" by the pedestrian.) **Motorists violating this statute may be cited, and the fines are significantly higher than other moving violations.**

4) **Child Advocacy Center (CAC)**—The CAC is in full operation. The CAC provides the victims of child abuse a state of the art facility to assist the victims and their families when sharing their account of the allegations. This is a "one stop shop" where the child will only have to tell their account one time. The team approach may include all of the following: law enforcement, child protective services, medical examiners, prosecutors, victim's advocates and mental health providers. This team approach to the investigation and intervention of child abuse ensures that the child's best interests are at the forefront of the service.

5) **Theft From Vehicles**—With warmer weather on the horizon, Bellefonte Borough Police want to remind residents to lock both their vehicles, homes, sheds, garages and to secure their valuables. Borough Police recognize that these types of crimes occur at a higher frequency during warmer weather months and will actively continue to patrol parking lots, neighborhoods, and businesses. It is extremely rare that items have been reported to be stolen from a LOCKED vehicle.

6) **Drug Issues**—Centre County, not unlike other counties in PA, is experiencing a higher than usual number of drug-related incidents to include: overdoses resulting in death, thefts, possession crimes, overdoses not death related, vagrancy/homelessness, driving while drugged (DUI), frauds, and other quality of life issues. Although Law Enforcement is responding to this issue with all available resources, the police are asking citizens to report any information involving criminal activity to include illegal drug-related activity. All information will be confidential, and no names need to be given. Call Bellefonte Borough Police at 353-2320 or the Centre County Drug Tipline at 861-7155.

Mayor Wilson thanked Chief Weaver for the report and the reminders to the citizens of Bellefonte.

Mayor Wilson has been contacted regarding the following three items:

1) Ed Bowman, Tussey Mountain Outfitters, has explored Paddle Parks throughout the country, which are positive revenue streams for the cities they are involved in. He gave the Parks & Recreation Committee a contact number for Ed (355-5690).

2) Mayor Wilson would like to have the Streets Committee work with the Chamber regarding a possible solution on parking for the vehicles of downtown merchants.

3) There is an abandoned property located at 329 East Lamb Street. Mayor Wilson would like the Building & Property Committee to examine the situation to see what can be done regarding this property.

Mayor Wilson informed the residents that he and Mr. Stewart will be on the WBLF radio show on Monday, March 17, at 8:30 a.m.

Mayor Wilson reminded the merchants and those involved with the Keystone Communities program that there will be a meeting on Tuesday, March 4, at 8:30 a.m. at the Diamond Deli.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

#### **HARB**

- 1) 247 North Allegheny Street - Replace overhead door for garage on Locust Alley
- 2) 254 North Allegheny Street - Replace roof shingles.

Mr. Beigle made a motion to approve both Certificates of Appropriateness as submitted from HARB. Mr. Brachbill seconded the motion. Ms. Harvey requested the design plans be shared at Council for a discussion item in the HARB minutes for a change on the Courthouse Annex property. A voice vote was unanimous.

- Draft HARB meeting minutes from the February 25, 2014, meeting are in the packet for review.

**BUILDING AND PROPERTY** - Mr. Schneider reported there was a meeting of the Building and Property Committee on Thursday, February 20. They toured the Armory property and are working with staff to develop a proposal with respect to professional services in regard to determine planning and what can be done with the property.

**FINANCE AND GOVERNMENT PERFORMANCE** - Mrs. Dunne reported a letter was received from Weber Murphy Fox (WMF) regarding a proposal for additional services in the amount of \$20,000.00. Mrs. Dunne asked if an addendum was sent out before the bids were received. Mr. Holderman stated the addendum will occur after the fact because they are still in the Highway Occupancy Permit process, which has been reviewed on two separate occasions and sent back. The potential bidders were informed at the pre-bid conference that they get the addendum as soon as that is finalized. The amount requested in this proposal is \$4,000.00. Council already approved a \$16,000.00 addendum to the contract several months ago.

Mr. Schneider made a motion to approve the \$4,000.00 requested for additional engineering and contract work for WMF. Mr. Beigle seconded the motion. A voice vote was unanimous. Mr. DeCusati stated most of the changes are reflected in the revised drawing.

**PARK AND RECREATION** - Mrs. Brown announced that the Talleyrand Park Committee has been awarded a grant for \$10,000.00 for the bank erosion at Spring Creek. The grant was received last fall but the work could not be done at that time. Currently the Borough is working on a permit application with Centre County Conservation and hopes to have a contractor there this summer working on that side of the bank. Mrs.

Brown informed Council that the Talleyrand Park Committee is an all-volunteer committee.

**HUMAN RESOURCES** - Mr. Spicer reported the Human Resources Committee had a brief meeting prior to the work session. They are drafting a policy for "Employees Using Borough Vehicles."

There is a proposal out for a third-party inspector.

The Borough is still seeking applicants for the Treasurer's position.

The Human Resources Committee is working with Borough staff regarding the School Resource Officer.

**SAFETY** - Mr. Brachbill reported there was a meeting February 24 regarding fire safety inspections. There was a good discussion regarding the letter that went out to businesses. It is the belief of the committee, after looking at the code, that the letters should go to the building owner. It was determined that the best avenue is to go after the third-party inspector, allow them to designate a new letter; and discuss fees. Mr. Stewart and Mr. Holderman are going to contact the 32 businesses that have not yet paid the 2013 fee.

National Incident Management System (NIMS) training is available online. It takes approximately three hours to go through the course. Mr. Brachbill has website information available for those interested in the course. Council members were encouraged to take this course. Mr. Schneider noted that any federal grant that is written in emergency services requires that a statement of compliance be signed.

Mr. Halderman opened the Fire Apparatus Bids.

Jon's Mid American Fire Apparatus, Inc., Rogersville, MO - The contract price is \$52,800.00.

The bid will be turned over to the safety committee for review. Mr. Beigle made a motion to approve the bid if everything is in order. Mr. Spicer seconded the motion. A voice vote was unanimous.

**WATER AND SANITATION** - Mr. Beigle invited everyone to attend the Authority meeting on Tuesday, March 4.

**STREETS** - Mr. DeCusati reported the Streetscape Phase II bids will be opened. There are seven bids. Each bid has a base bid #1, alternate bid #2 and alternate bid #3.

- 1) HRI, Inc. - #1 - \$151,500.00; #2 - \$146,000.00; #3 - \$102,000.00
- 2) M&B Services LLC. - #1 - \$140,519.86; #2 - \$121,290.00; #3 - \$75,150.47
- 3) VCS Construction, Inc. - #1 - \$110,386.00; #2 - \$141,511.00; #3 - \$100,606.00
- 4) Ameron Construction Co., Inc. - #1 - \$166,600.00; #2 - \$182,368.00; #3 - \$103(?) tape turned

5) John Nastase Construction - #1 - \$98,930.06; #2 - \$99,372.82; #3 - \$81,648.22

6) G&R Charles Excavating Ltd. - #1 - \$153,444.00; #2 - \$142,679.00; #3 - \$98,314.00

7) Glenn O. Hawbaker Inc. - #1 - \$173,185.00; #2 - \$161,150.00; #3 - \$103,700.00

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

**ENERGY AND ENVIRONMENTAL CONSERVATION** - Ms. Harvey reported there was a memo regarding difficulties with removing fuel storage tanks at JJ Powell/Snappy's. They are no longer going to be selling fuel sales and when removing the tanks, a fuel leak/spill was discovered. The soil is being tested to determine where it will be taken. It is to be kept covered until it is removed. New backfill material will be placed in the opening and the parking lot will be repaved. DEP is overseeing the project. The Borough has no involvement in the project.

**JUNIOR COUNCIL REPORT** - No report.

### **OLD BUSINESS**

- The Borough Council Code of Conduct is in the packets for review. Council members may voluntarily sign it and have it placed on file.

- If any Council member would like to be the voting delegate to the meeting at the PSAB Conference, April 9, they should contact Mr. Stewart.

### **NEW BUSINESS**

- Work Sessions held by Council - The Borough Solicitor reviewed the issue and he believes Council can hold work sessions as long as they are advertised.

- Industrial Sites Reuse (ISR) Program Grant - Mr. Beigle made a motion to approve the letter of support from Borough Council for the application for grant funding for an environmental study at the Waterfront Development site. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Mayor Wilson received a legislative alert from the Pennsylvania State Mayor's Association regarding State Senator Vulakovich from Allegheny County. He has co-sponsored a memorandum on the Radar Coalition Bill, which is House Bill 1272 that would allow boroughs and municipalities to use radar within their jurisdiction. He would like Council to send letters of support for this legislation to Kerry Benninghoff and Jake Corman. This will be tabled until the next work session.

- Mr. Halderman stated for the next several months if something comes up in a meeting that the public does not have a chance to make comments on, or if it is not on the agenda, there will be a time for comments at the end of the meeting.

Mr. Beigle addressed Patrick North's comments from the beginning of the meeting and stated everything Mr. Stewart and Mr. Holderman do is approved by Council and legal opinions are obtained regarding situations. Mr. Beigle stated a legal opinion was provided regarding the Garman property, and everything was done by the law. He wanted to show his support for the Borough manager.

Mr. DeCusati stated Council did not dispose of the property but that it was put in the hands of the IDA, a different committee of Bellefonte residents. The IDA searched for developers.

Mr. Stewart stated the court reviewed the entire process from beginning to end and approved the way the property was disposed of. It could not be done without court approval under the Conservatorship Act.

### **ADJOURNMENT**

- With no other business to come before Council, Mr. Schneider made a motion to adjourn the meeting of March 3, 2014, at 8:35 p.m. Mr. Beigle seconded the motion. A voice vote was unanimous.