

# **BELLEFONTE BOROUGH COUNCIL**

## **MEETING MINUTES**

**May 1, 2017 @ 7:30 p.m.**

**236 West Lamb Street, Bellefonte, PA 16823**

**[www.bellefonte.net](http://www.bellefonte.net)**

**5:30 p.m. Finance Committee Meeting**

**6:00 p.m. Executive Session: Personnel**

**6:30 p.m. Work Session**

- Chief Weaver – Part time officer discussion
- Code proposals discussion

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### **CALL TO ORDER:**

The regular meeting of the Bellefonte Borough Council was called to order by President Gay Dunne at 7:30 p.m.

Pledge of Allegiance was followed by a moment of silence.

### **ROLL CALL:**

**MEMBERS PRESENT:** Gay Dunne  
Joe Beigle  
Randall Brachbill  
Melissa Hombosky  
Doug Johnson  
Joanne Tosti-Vasey  
Renee Brown  
Courtney Dickman

**MEMBERS EXCUSED:** Taylor Lake

**OFFICIALS PRESENT:** Ralph Stewart, Borough Manager  
Don Holderman, Assistant Borough Manager  
Tom Wilson, Mayor

**GUESTS:** Walter Schneider, Centre Region Code  
Joel Solkoff  
Robin Wagner

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**CONSENT AGENDA:**

(The following items listed on the Consent Agenda are considered 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 the April 17, 2017 Meeting Minutes
- Communication –Request from Logan Fire Company re annual parade
- Communication – Request from YMCA re: Summer Camp Program at Governor’s Park
- Communication– Request for Harris Township re: Fire Police

Minutes were pulled and revised.

**Ms. Brown moved to approve the consent agenda items, minus the minutes;  
Ms. Dickman seconded the motion;  
Motion carried via voice vote.**

**Mr. Beigle moved to approve the minutes as amended;  
Ms. Hombosky seconded the motion;  
Motion carried via voice vote.**

**REGULAR AGENDA:**

**COMMUNICATIONS:**

**Written:**

***Letter from the Centre County Planning Agency re: West Nile Virus***

Letter is asking residents to try to eliminate areas of standing water. Concerns, please contact the Centre County Planning Office directly. There was a question regarding spraying. Ms. Tosti-Vasey stated that the DEP has a program for people with chemical sensitivities to contact them, and they will put them on a call list for spray events.

***Letter from the Bellefonte EMS Summit***

This is scheduled for Tuesday, May 23, 2017. Operations exhibits, activities and tours will begin at 5 or 5:30 with a regular meeting at 7 p.m.

***Rite Aid Flu Clinic***

They are offering discounts if a flu clinic is scheduled for this fall.

**Ms. Tosti-Vasey moved to accept the offer and schedule a flu clinic;  
Mr. Beigle seconded the motion;  
Motion carried unanimously via voice vote.**

***Seven Mountains EMS Council re EMS Week***

EMS week is May 21 through 27. Expecting a boiler plate resolution which will be drafted and presented to Council on May 15.

***Email from Mr. Joel Solkoff re Fishing from Sidewalk (waterfront) by persons with Disabilities***

Email from Mr. Solkoff (audience) regarding fishing along the walkway at the waterfront. He is asking for modification to the ordinance to allow for persons with disabilities to participate in fishing. Mr. Solkoff attended the public accommodations meeting last Thursday evening and voiced concerns with the ordinance. Some members of Council were also in attendance. Ms. Tosti-Vasey indicated that the modification would be simple and would allow people with disabilities to contact the Borough to accommodate. She felt that accommodations for people with disabilities shall be made on a case-by-case basis.

**Ms. Hombosky moved to add “accommodations for people with disabilities shall be made on a case-by-case basis” to the fishing ordinance;  
Mr. Beigle seconded the motion;**

Discussion was held.

Mr. Solkoff addressed Council. He believed that it was unnecessarily intrusive for him to have to contact the Borough regarding accommodations. There is no sign that says that trout fishing is not allowed. The ordinance does not allow fishing from the sidewalk or bank. He would like to fish on a whim and not have to pick up the phone and contact the Borough each time. He asked for the accommodations motion to be modified to permit ADA accessibility fishing.

Ms. Tosti-Vasey explained the reasons for adding the “case-by-case” wording to the motion. The Human Relations Act indicates that the accommodations need to be made to fit the individual needs of the requestor.

Mr. Solkoff concurred and acknowledged that he would be able to fish with this clause added to the ordinance without having to contact the Borough each time.

A dedicated area for ADA accommodated fishing was briefly discussed. Mr. Brachbill discussed making accommodations for ADA accessibility at the water front. Mr. Stewart indicated that the Borough committees will look into this issue. Mr. Solkoff suggested the High Street Bridge and the area along the creek which leads to the stairs. He did not see the need to waste anyone’s time on researching this issue. He was happy to fish from the area on the bridge. Ms. Tosti-Vasey explained that the ordinance needs to comply with state law. Mr. Brachbill suggested creation of a space that allows people to get closer to the stream to fish by putting in a concrete pad or a handicap ramp out into the stream to literally drop the rod in. Mr. Solkoff disagreed with this being such big deal. He just asked that the ordinance be changed to allow him to fish.

The proposed ordinance change will need to be advertised.

**Motion carried unanimously via voice vote.**

Mr. Brachbill felt that the signage may need to be changed. Advice may be able to be obtained from the Boat and Fish Commission regarding same. Parks and Rec committee will review.

Ms. Tosti-Vasey indicated that it was mentioned to her at the Old House Fair that perhaps Krauss Park should be made ADA accessible. Ms. Dunne concurred on this consideration.

Child-friendly fishing accommodations were discussed for the children who cannot and should not get into the water. This will be further discussed at a future date. In some municipalities children are covered under public accommodations, but Bellefonte would have to create a separate law for that. Ms. Hombosky felt that this necessitated at least exploring as families are disappointed at the no fishing signs.

Mr. Brachbill explained that the reason the ordinance was modified was because fishermen were almost hooking people on the walkway. This was a potential safety issue. Ms. Dickman explained that her experience with the Fish and Boat Commission was that they were prepared to hold educational sessions regarding fishing off of the walkway and that the walkway was designed to accommodate fishing. Competitions in fly fishing and kayaking were considered as well. There were conversations with Fish and Boat and Keystone and Council at that time. Now that the sidewalk is open, Ms. Dickman feels that things have been restricted, safety taken into consideration. She felt that completely

taking away fishing from families is a travesty and a disturbance. Safety concerns were reiterated by Mr. Beigle.

Rob Wagner addressed Council. He is a resident of the Borough. He discussed his experience with his daughter walking and a fisherman throwing lines back and almost hooking her. He opined that the combination of walking path and fishing is not working.

Krauss Park was discussed as a family fishing destination. Mr. Johnson indicated that this would be a great place for family fishing experience. Parking is available. It just needs some TLC.

Arrangements will be made to have Fish and Boat Commission come speak with Parks and Recreation about possible fishing options for Krauss Park. It was recognized that Krauss was an underutilized park. A community clean-up day was discussed.

***Letter regarding the New Inspection Services/Email***

***Letter regarding the Easter Egg Hunt for March 31, 2018.***

**Ms. Brown moved to approve the date of March 31, 2018, for next year's hunt;**

**Ms. Dickman seconded the motion;**

**Motion carried via voice vote.**

***Letter from Bellefonte Chamber regarding the croquet tournament scheduled for June 4, 2017, asking for permission to serve alcoholic drinks in partnership with Big Spring Spirits. The letter outlines the conditions and steps they will take relative to same, if permission is granted.***

Ms. Brown clarified that they will have a picnic and tent available. Big Spring Spirits has offered one free drink ticket to each participant in the tournament. Ms. Dunne indicated that this will be operated similar to the Father's Day tasting that Big Springs is hosting.

Ms. Tosti-Vasey recommended that the permanent marker used on the wrist band be low odor.

**Ms. Dickman moved to approve the request for alcoholic beverage service at the croquet tournament;**

**Ms. Tosti-Vasey seconded the motion;**

**Motion carried via voice vote.**

## **Special Committee Reports:**

IDA Meeting Minutes DRAFT April 12, 2017

Safety Committee Meeting Minutes DRAFT April 12, 2017

Brief discussion on parking issues and refuse workers complaints

## **Airport Authority:**

Mr. Beigle reported that all is well and sometime in June the next level of security will be implemented at the terminal building as well as on the air side. Hopefully this will increase the size of the planes coming into University Airport.

## **Mayor's Report:**

### **EMS Week Proclamation**

Mayor Wilson reported that there is a proclamation for EMS week (read aloud).  
May 21-27, 2017 is Emergency Medical Services Week.

## **Office of Community Affairs:**

### **HARB Items**

Certificates of Appropriateness: 163 E. Curtin St.; 428 North Spring St.; 107 W. Logan St.; 350 E. Curtin St.

**Mr. Beigle moved to approve the Certificates of Appropriateness as presented;**

**Ms. Hombosky seconded the motion;**

Discussion was held.

107 W. Logan Street roof has not been confirmed for a straight standing seam.

Ms. Tosti-Vasey asks that the roof issue be tabled.

Mr. Beigle indicated that HARB conditionally approved this roof project. Mr. Stewart explained that HARB goes by a standard. Ms. Tosti-Vasey explained that the standing seam is standard for the time period. Out buildings may have different seams (rolling) but the main house should comply with the standing seam roof. HARB would like to go by the National Trust standard. 1850-1910 is the approximate time period. Any roof that does not have the standing seam was constructed incorreced and not within HARB standards. Mr. Stewart recapped that the homeowner proposed a metal roof. The metal roof has been approved with a standing seam. The standing seam is not difficult to

construct and should not be any more expensive than the other types of seams. The applicant did not object to any costs for the standing seam. She was to report back to Mr. Stewart with more information on the standing seam. She has not done so yet.

**Mr. Beigle moved to approve the Certificates of Appropriateness as presented;**  
**Ms. Hombosky seconded the motion;**  
**Motion carried via voice vote.**

A brief discussion was held regarding a temporary absence of one member of HARB and the alternate serving in the interim. Mr. Stewart confirmed this.

A brief discussion on the Willowbank Plaza occurred relative to the HARB permitting process.

HARB Meeting Minutes DRAFT April 25, 2017

**Zoning/Planning:**

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Nothing to report.

**Building and Property:**

Ms. Dickman reported on a meeting last week wherein the committee will be reaching out to the Wine and Café on the Park to clarify a request to use a portion of the Borough's property adjacent to their property. Once that occurs, then Council will review it.

**Finance and Gov't Performance:**

Mr. Stewart reported on a quick meeting prior to this evening's work session. He indicated that options for leasing a tandem axle truck for the public works department were discussed. This would be funded by Water Sewer and Streets. This would be a lease-to-own. Finance Committee is recommended to go in this direction versus buying used.

**Ms. Brown moved to recommend approval of the lease to own tandem axle for the public works department;**  
**Mr. Brachbill seconded the motion;**  
**Motion carried via voice vote.**

### **Park and Recreation:**

Ms. Hombosky reported that the Liberty Swing has been ordered. A meeting will be held on Friday, May 5, at 2 p.m. on site to block out where the pad should be for the swing.

The Faith Church Youth Group will paint the suspension bridge and sculpture garden bridge on Saturday, May 20.

Today at 2 p.m. an informational session was held on the avian flu. Dr. Elizabeth Santini presented the information. Tony Roland from the USDA was also present. Recommendations were made to not feed the birds. Signage was discussed. Mr. Stewart indicated that the Borough is going to try to order the larger sign with more information about the avian flu and reasons behind not feeding the ducks.

There is minimal concern for the public. The only chance that this strain can harm a human is with small children with very weak immune systems. Salmonella is more likely than avian flu, so the ducks should not be fed in that regard as well. Mayor Wilson's suggested card campaign was recommended telling the public exactly why the ducks should not be fed. The public should also be advised to stop introducing domesticated birds into the eco system as well.

H7N3 is common in wild ducks. This lays dormant but if a chicken or another domesticated bird were to contract it, it could lead to death. Ms. Dunne said that this information should be formatted on cards for the police department to hand out if necessary. It was suggested that a booth is set up at Arts Fest for informational purposes.

Mr. Roland indicated to Mr. Holderman that the agreement with the Borough expired this week so renewal should be considered. The cost is approximately \$1,200 for the year. They will sample ducks for health issues. Ms. Brown thought this would be a good idea for comparison purposes.

**Ms. Brown moved to renew the contract with the USDA;  
Ms. Tosti-Vasey seconded the motion;  
Motion carried via voice vote.**

### **Human Resources:**

Ms. Tosti-Vasey reported that interviews were conducted on the Belle Key, HARB and Zoning positions. Offers will be made to the top candidate on May 2.

### **Water/Sanitation:**

Mr. Holderman indicated that an internal vacancy was posted for the water department.

Mr. Beigle reported that there is an Authority meeting tomorrow evening at 6 p.m.



## **Streets:**

Mr. Johnson indicated that the Borough staff and street committee members met with residents at North Spring Street. There is some concern down the line.

Simpson Street was to start this morning, weather permitting. Equipment is there and the pipe is unloaded. With the impending rain, the work may be pending.

Excavation for the new stop light posts is being done at Spring, High, Water and Lamb Streets.

The Logan Fire Company parade is slated for June 24. That is during the time when West Linn Street will be closed and of the new bridge construction on Route 144. The detour comes down Bishop, turns left onto Allegheny and then down High Street to Water. This is the parade route that was approved for that day. The parade route goes from Zion Road East Bishop starting at South Parkview Blvd., ending on South Spring Street, South Allegheny Street starting at East Bishop ending on High and then Allegheny to Potter Street to Talleyrand Park. It is the detour route. Mr. Stewart indicated that permitting will review the detour route. Signage will be posted for a short period of time to get people around those areas. Monroe is going to be blocked going down Molasses Hill to the bridge work at Log Cabin Motors. Howard to Spring and Spring to Lamb will get you out of town. This will be the alternate detour. The time of the parade is not until 5 p.m. It will be worked out.

Mr. Brachbill brought up the lining at the top of High Street going west. It seems that the line was not brought out far enough to see left. It was probably lined up with the stop sign. It should have come out to the new pavement. This is behind the jail. Consideration was given after the striping was applied to survey the residents for a one-way street pattern. Maybe this could be discussed further.

Ms. Tosti-Vasey brought up the LED lights in front of the post office. They are being tested on both sides of Allegheny near the post office. She viewed them in the rain, and thought the ones on the Museum side were more appropriate. Mr. Stewart indicated that there have been numerous complaints over the years about downtown being too dark. The LED's are brighter than what is currently up. Ms. Dunne felt that if the post office left their lights on all night that would fill in the lighting gap. This is just a thought. Mr. Holderman indicated that the lights can be ordered anytime. Over a year's time, the cost of the lights will be recouped in electricity costs. A softer light was chosen for the Museum side. A meter can be used to measure the foot candles at the base of the light to do a comparison. It was mentioned that the brighter LED may reflect off a wet roadway negatively. Council is requested to go out after dark and look at the lights for comparison.

Mr. Johnson wanted to remind residents of the closing of West Linn Street again, in case someone may forget. It begins June 5 on West Linn for the wall and guardrail. The

project will end August 31, 2017, as projected. The other closure is bridge replacement on 150 in front of Log Cabin Motors and Allegheny Street will be closed at the bottom of the hill. The preliminary work has been started and will end November 30, 2017. This will be posted on the website.

Ms. Brown would like to see Spring and Water Street signal to be green at the same time so traffic can flow through town. PennDOT controls the timing and a permit needs to be obtained to change it. Ms. Brown spoke with TelPower and they indicated to her that once the lights are installed they belong to the Borough and the Borough should do the timing. Mr. Stewart indicated that a PennDOT permit is required to change the timing. The problem with the ones now, they drift out of sequence due to old technology. The new lights will maintain sequence.

### **Energy and Environmental Conservation:**

Mr. Holderman reported that Mr. Stewart and he attended the Sustainability Expo last Monday. One of the Borough's groups won second place for their poster. They sent an email to us with the final report. The report will be forwarded to all so that everyone can have a look.

Doodle poll needs to be done for the next meeting.

### **OLD BUSINESS:**

#### **Appointment of Code Services Contractor**

**Mr. Brachbill moved to stay with Centre Region Code;  
Ms. Tosti-Vasey seconded the motion;**

Discussion was held.

The contract cycle was discussed. July 1 the contract will renew. Mr. Holderman explained that the proposal contained the following:

Current Bellefonte Centre Region Code agreement is extended until January 1, 2021. After that, it will be renewed for a three year period unless COG is notified by Borough Council by December 31, 2019. The rating of COG impacts the ISO rating. The Borough insurance premium may also be less. Rating information was not specifically requested.

Mr. Brachbill moved to stay with Centre Region due to past considerations of other companies that were one owner operations. Centre Region has staff to cover. Centre Region is not paid anything. With Keystone, \$8,000 needs budgeted for department meetings. There will, without a doubt, be attendance fees for meetings.

Inspection timing and monthly reports were discussed. The timing of the inspections was discussed. Mr. Johnson reported that when contractors are sitting there waiting for Code inspectors to show, it is unacceptable. Contractor meet ups can be closer than they are now.

Mr. Johnson stated that either agency can get the job done. The reason that the issue was even brought up was because of communication breakdown. It was admitted to the Borough that there were problems and if there was, a new person would be put on next year.

Centre Region Code did indicate that they would take care of the issues, i.e., communication as well as personnel. The issue is not qualifications, it is a personal issue. Mr. Johnson felt that it was a house cleaning issue.

Ms. Brown feared entering into a contract and issues not being mitigated. Attempts to change things have been demonstrated slowly.

Ms. Dunne interjected that around March, when the railroad freight house was to be reinspected, staff got a call that the inspector was on his way. She feels that there are some efforts being made to address situations, one at a time.

Mr. Brachbill offered that some concerns were addressed in their RFP. It was discussed that is up to Council to make sure that everything follows suit as Centre Region Code promised. Management should also be in contact with them. He indicated that complaints need to be resolved and communicated as well.

Mr. Johnson indicated that the construction site inspections are the real issue, not the property inspections. This is a communications and personnel issue that needs addressed. He has heard good things about the property inspections and getting things in order with that end.

Ms. Hombosky interjected that she felt that Mr. Schneider rises to challenges presented. She gave examples of living under a landlord and a code inspector that didn't care, i.e., broken deck. She thinks that the property inspection is being done well. She is highly encouraged by Mr. Schneider's agreement to give the Borough reports on the inspections. She appreciates the hard work to assure that the rentals are in better shape.

Ms. Dickman would rather go with Centre Region Code than switch up and also have to budget money for the other company.

Ms. Brown received several calls prior to the meeting, expressing problems with Centre Region Code. She will need to go with the constituents. Mr. Johnson and Mr. Brachbill received calls from contractors as well. The communication issue needs to be resolved.

There was a brief discussion comparing Centre Region Code to the state standards and if Centre Region Code goes beyond the state recommendations.

Ms. Dunne Yes

Ms. Hombosky Yes

Mr. Johnson Yes

Ms. Tosti-Vasey Yes

Mr. Beigle No

Mr. Brachbill Yes

Ms. Brown No

Ms. Dickman Yes

**Motion carried 6-2 via roll call vote with Ms. Brown and Mr. Beigle voting nay.**

### **Feral Cats – Trap, Neuter and Release Program**

Mayor Wilson reported that personnel from two local rescues came in and spoke about the programs with Council prior. No action was taken. A committee was suggested and perhaps a follow up with One Hundred Cats and Paws. Programs include trapping and spaying of the cats but that would be up to the committee to review. Council should vote on whether a program should be implemented in the Borough. Posting on the website was discussed but determined that only a limited audience would be reached. If there is a cat problem, something more aggressive should be done.

Mr. Stewart mentioned that he contacted Diane Kerly and she put an article together for the newsletter which is going on the front page. It is at the printer and will be going out in a few days. Ms. Hombosky indicated that the police Facebook page gets some activity so that may be a good posting option. Mayor Wilson indicated that the cat situation is not as bad as the skunk situation four years ago but it is an issue, with pockets of problem areas. Ms. Dunne suggested an ad hoc committee for this issue, and to include the Mayor as a member. Mr. Stewart suggested keeping this on the agenda as a work session agenda item. The ordinance will be referred to the Safety Committee for review.

### **Borough Website Update**

Mr. Stewart mentioned that the new site will up and running soon. This may be talked about at the next work session.

### **NEW BUSINESS:**

Tentative date and time for the Economic Development Summit is June 20 from 4-6 p.m. More information will be provided. This is organized by the Chamber of Business and

Industry. It has been held at the Match Factory and the former Elks Country Club. Location is to be determined. This is just a save-the-date.

### **CATA FY 2017-18 Local Match Shares Document and Agreement.**

Budget information was provided. If Council would like CATA to come in and review the numbers, that can be arranged. Penn State University's contribution was discussed briefly. Mr. Beigle talked about per rider numbers and how they are not provided in the report. Cost breakdown was also discussed.

Mr. Stewart will invite a CATA rep to come in and speak with Council.

Ms. Brown brought up the parking request at the armory. She mentioned that CATA doesn't provide services for no cost so she felt that CATA shouldn't be parking at the armory for no fee either. Mr. Stewart indicated that an agreement has already been worked out.

This matter was informally tabled, no motion.

### **Part Time Police Officer**

Mayor Wilson brought up the new part-time police officer and if there would be a Council vote on that issue. It was reported that the issue would go back through Human Resources. Ms. Hombosky felt hurried by Chief Weaver on the hiring. The recommendations are good for the part-time officer. The process seemed rushed. Mr. Brachbill indicated that if the officers are over worked, then perhaps service should be cut and let the State Police take over for that time period. The part time officer is in the budget but is not a guarantee that there will not be over time. The police budget was briefly discussed.

Ms. Tosti-Vasey indicated that a recommendation can be made to have the part time officers move into the Borough. The applicants were ranked already. Mr. Wilson did not agree with the officer moving into the Borough. Rushing the hire was also discussed. Ms. Hombosky indicated that it seems that every time an officer is hired, it feels like it is rushed and that nothing gets any better. She indicated that Chief Weaver was speaking with the same urgency about the part timer as he did with the pre-hire of the full time officer. Ms. Dickman interjected that she could see how any vacancy in a police department would be considered urgent due to the nature of the business. With summer, the work load will increase, and she feels that as far as the personality goes, because of the nature of the position and because Chief Weaver is in charge of dividing the work load, no one is in a position to sit down with him and interview him. A meeting after their hire may be a good idea. Based on the part timer's expertise as it relates to the problems in the Borough, she doesn't feel their place of residence is pertinent. Ms. Brown added that Council did interview a candidate several years ago and he did not work out. This was about ten years ago.

Residency could be suggested but it should not be made a requirement. Mr. Brachbill agrees with Mayor Wilson in that residency should not be a requirement. Although it would be nice to see him live in Bellefonte, it may not be possible. Ms. Brown interjected that she valued Chief Weaver's opinion on the hire.

Mr. Brachbill suggested that in the future, the budget should be considered and be part of the Council packet. Ms. Brown indicated that the finance committee should have asked for budget figures when this hire was first requested.

**Ms. Brown moved to permit Chief Weaver to hire the part-time officer;**

**Ms. Dickman seconded the motion**

**Ms. Tosti-Vasey moved to amend the motion to include a suggestion to move to the Borough;**

**Ms. Hombosky seconded the motion;**

**Motion carried 5-3.**

**Roll call vote for amended motion carried unanimously.**

Mayor Wilson will pass on concerns of Council.

**PUBLIC COMMENT:** None.

**ADJOURNMENT:**

**Ms. Dickman moved to adjourn the May 1, 2017, Council meeting;**

**Ms. Hombosky seconded the motion;**

**Motion carried unanimously.**

**Meeting adjourned at 10:00 p.m.**