

BELLEFONTE BOROUGH COUNCIL MEETING
August 1, 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: Clark, DeCusati, Hombosky, Johnson, Tosti-Vasey
Brachbill, Dunne, Beigle,

Members Excused: Brown, Ralph Stewart, Borough Manager

Officials Present: Don Holderman, Assistant Borough Manager
Mayor Wilson

Staff Present:

Guests: Carlton Hopkins, Emma Gosalvez

- Mrs. Dunne reported that Council just completed an Executive Session regarding legal, real estate and human resource matters.

PUBLIC COMMENTS

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 July 18, 2016 Meeting Minutes
- Minutes – Approval of July 19, 2016 Special Meeting Minutes

The July 18, 2016 meeting minutes were removed from the Consent Agenda. Ms. Tosti-Vasey made a motion to approve the July 19, 2016 Special Meeting Minutes. Mr. Brachbill seconded the motion. A voice vote was unanimous.

The corrections to the July 18, 2016 meeting minutes are:

- Mr. Brachbill - under new business, page 9, it states that Mr. Brachbill made a motion to approve a resolution that recognizes suicide awareness and Mr. Spicer seconded the motion, but Mr. DeCusati or Mr. Johnson seconded the motion.
- Ms. Tosti-Vasey - on page 8, under Water Sanitation, the last paragraph where it says Ms. Tosti-Vasey said when she went to the Environmental Sustainability Committee meeting the words Committee meeting should be Conference.

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

REGULAR AGENDA

COMMUNICATIONS

WRITTEN

- The Centre County Planning & Community Development 2015 Annual Report is in the packet for review.

- A Thank You letter from the Logan Fire Company regarding the parade.

- A combined Public Hearing Notice from the Centre County Planning Office regarding the 2016 CDBG allocation, which Bellefonte anticipates receiving approximately \$100,000.00. The Public hearing will be Tuesday, August 16, at 6:00 p.m. in the Willowbank Building. Mr. DeCusati questioned whether the Borough made any suggested uses for the money. Mr. Holderman said no, this will be the first of two public hearings. Mr. Holderman said if they get through the 2015 application process, which they are currently working on, the sprinkler systems for buildings may be approved.

ORAL

- Carlton Hopkins, 141 South Thomas Street. He has lived there since 1998. Recently it was brought to his attention by a neighbor that HARB approved a variance for modification of a property adjacent to his. This is a three-story home that was originally a duplex and now contains five apartments. His concern is the variance is on the shared side of the properties and the variance is for a third-story apartment window to be turned in to a doorway, landing and staircase. He feels this would have a negative impact on the neighborhood within the Historic District, but especially his property and another property behind his, the 145 South Thomas Street property. Not only will it have a negative impact on the value of his house, but it is a shared thruway there, on

the south side of his house. He has a three-foot sidewalk and then there is a seven-foot area that is their property and there is a common retaining wall that is maybe a foot and a half . They have seven feet to work with for this landing and he feels it would be an eyesore given the closeness of the two properties. He is requesting that it be reconsidered. There is a staircase landing and porch that is currently used on the back of the house to enter the third floor apartments that could be brought up to code and modify that to allow appropriate access for the two apartments.

Mr. Holderman said HARB does not grant variances so that would be Zoning. Mr. Hopkins does not know if it had been posted that someone was requesting a variance. Mr. Holderman feels what the property owner is trying to do would require a zoning variance and also would have had to go through the Centre Region Code for a building application. Mr. Holderman will contact Mr. Hopkins tomorrow and get more information on this. Mr. Clark said this was included in the June 20, 2016, HARB notes, and it was a fire escape that was approved. Mr. Hopkins said he does know that the apartment owner is no longer permitted to rent both sides because of the concern regarding the egress. Mrs. Dunne said a code official would be present at the HARB meeting. Council said the project had already been approved, and the homeowner could already be in construction. Mr. DeCusati said typically HARB would not approve this unless it met the setbacks required by code. This has been approved through all the proper processes, and it cannot be changed. Mr. Hopkins requested that the Borough make a policy to require mandatory contact of adjacent property owners so they would be aware of possible changes. Mr. Holderman will contact Mr. Hopkins and see how he can assist him in getting some information.

SPECIAL COMMITTEE REPORTS

- Mr. Brachbill reported the COG Public Safety Meeting this month.
- Mr. Brachbill reported the July 28, 2016, Fire Executive Meeting was cancelled due to the Pleasant Gap parade, but it rescheduled for Thursday, August 4th, at 7:00 p.m. in Council Chambers.
- Mr. Holderman reported that there will be a meeting Thursday, August 4th, at 6:00 p.m. at Centre Crest in regard to Council's request for the people from Centre County Planning to meet with the residents of Wilson Street and High Street regarding the R2 to R4 plot of land behind Centre Crest. When Mr. Holderman finds out what room it will be in, he will email Council members.

MAYOR'S REPORT

- Mayor Wilson reported the Bellefonte Arts & Crafts festival will be Friday, August 12, and Saturday, August 13, at Talleyrand Park. This is the 33rd year of the event. Please support the festival.
- Mayor Wilson shared a letter from Chief Weaver. The letter was to make the Mayor aware of the outpourings of appreciation and gratitude that they have received

recently from residents, businesses, and visitors to Bellefonte Borough. They have received so many cards, pictures, visits, cookies, candies, pizzas, and dinners sent to their department. This is greatly appreciated by the entire department. They also were the recipient of \$1,058.55 donated to the department by Redman's Kidz Konnection Daycare Center located in the Trinity United Methodist Church. During the week of July 18, 2016, the children of Redman's Kidz Konnection walked around the downtown area holding cans in an effort to raise money for the Bellefonte and Spring Township Police Departments. They did this on the hottest days of summer thus far. They presented the check to the officers on Friday, July 29. The goal is to put this back into the community with items that will benefit the entire community. Their interaction with the children, our future, is what has brought them the most joy. They feel very humbled by the many acts of kindness. They are very proud to serve the residents, businesses and visitors to Bellefonte Borough. They plan to continue every effort to keep Bellefonte Borough safe and a happy place to live, work and visit.

- Sergeant Brower was in the audience to answer any questions from Council. Sergeant Brower wanted to publicly acknowledge the fantastic job the kids in the daycare did. They worked so hard and put a lot of time into what they did in the downtown area walking around and raising money. The police plan to roll it back into the community. They have received a huge outpouring of support from the community. Police officers are having a rough time around the nation, but they feel fortunate in Bellefonte to have the people stand behind them.

- Mayor Wilson attended the Centre Region Economic Development Summit a few weeks ago as the Bellefonte representative. It was a wonderful dinner. They surveyed everyone at the summit, which had a good representation of township supervisors, borough managers and state representatives at this meeting. They prioritized where everyone is with their economic development plans and what they have set up that can be enacted quickly. Mayor Wilson used that as a segway into something that has been discussed at several meetings about setting up a Rapid Response Team. Mayor Wilson feels it should be put on the agenda of the next meeting.

- Mayor Wilson attended the State Mayor's Convention in Gettysburg last week. He felt they always make the categories pertinent to the mayors and they always have the Department Heads at this. The subject was 21st Century Policing with PA State Police Commissioner Tyree Blocker. He gave some statistical data on policing. There are some interesting things. Their budget is \$1.2 billion for the state police. They also had Gary Tennis, Secretary of the Commonwealth of Pennsylvania Department of Drug and Alcohol talking about the opium's and the heroin. Mayor Wilson talked with him about initiating some vehicles to get people into treatment with involuntary commitment like they do with mental health. He said that is something they are working on, but the problem now is that there aren't secured facilities and money for that. There are a lot of great topics, and he met a lot of mayors from all over the state, and he feels that is the most valuable thing, the networking that gets done. The comparisons of the Boroughs and how they operate. He tells everyone he talks with at the convention when they start

to talk about the contentious relationship the mayor has with the Council and the Council with the mayor, he reports that there are sometimes differences, but for the most part he feels this is a really great working Council, and he is very thankful for that. He tells that to everyone that will listen to him.

Ms. Tosti-Vasey reported when she was in Philadelphia last week there was a workshop put on by the University of Pennsylvania's Fel's Centre for Justice, I believe was the name of it, and it was on community policing. Eric Holder, the former secretary of the Department of Justice; former Chief of Police, Chuck Ramsey of Philadelphia; and an advocate from the Black Lives Matter Organization, talking about how positive communities that take on the idea of community policing are doing a much better job at working with their communities than those that are doing the more punitive sorts of things. What we are doing in Bellefonte with the police officers going out and talking to the neighbors, in her opinion, was being seen as Bellefonte is doing the right thing.

OFFICE OF COMMUNITY AFFAIRS

ZONING/PLANNING

- Memo from V. Dainty regarding the recommendation from the Planning Commission to Borough Council regarding the zoning of the R2/R4 area around Centre Crest. The Planning Commission recommends that the R4 area be rezoned as Village and that includes the R2 section. If Council does not accept it, the Planning Commission would make a motion that the additional plot owned by the County, operated by Centre Crest, be zoned from R2 to R4.

Mr. Brachbill made a motion to table this until after the public meeting is held on Thursday, August 4, at 6:00 p.m. Mr. Johnson seconded the motion. Mr. Clark feels Village Zoning designation does not permit nursing homes. A voice vote was unanimous.

- Draft Planning Commission meeting minutes from July 25, 2016, are in the packet for review.

- Meeting scheduled with the residents around Centre Crest on zoning issue Thursday, August 4, at 6:00 p.m.

HARB

CERTIFICATES OF APPROPRIATENESS

- 1) 109 East Bishop Street
- 2) 116 South Spring Street

Mr. Beigle made a motion to approve both Certificates of Appropriateness. Mr. DeCusati seconded the motion. Mr. Johnson had a question regarding the project review at 109 East Bishop Street. In the description of the first paragraph it says approve a sign 21" by 35'. He feels the 35' should be corrected to inches. Mr. Beigle amended his motion to approve both Certificates of Appropriateness with the correction of the signage size. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Draft meeting minutes from the July 26, 2016, HARB meeting are in the packet for review.

BUILDING AND PROPERTY – Mr. DeCusati invited everyone to attend the Ribbon Cutting Ceremony hosted by the IDA for the Waterfront Project on Friday, August 5, at 8:00 p.m. It will be on the Lamb Street end of the site near the former Gamble Mill restaurant. Parking is available in the Gamble Mill lot as well as the Borough municipal parking lot.

- Mr. DeCusati made a motion that the Borough Solicitor be asked for his or her opinion on the use and zoning of the old Uni-Mart building on Thomas Street as to whether it can be grandfathered in. Mr. Beigle seconded the motion. A voice vote was unanimous.

FINANCE AND GOVERNMENT PERFORMANCE – No report.

PARK AND RECREATION – Ms. Hombosky reported there is a copy of Proposed Amended Chapter 405: Parks and Recreation Ordinance for review. Mr. Holderman reported it was approved at the last meeting, but because things were done quickly the desire was to put it on paper and be sure everyone in Council was in agreement with it before it is executed and gets put on the E-Code 360 online. Mr. Brachbill had a question. Q was taken out in relation with the dogs and it was supposed to be replaced with an existing ordinance concerning dogs, and he doesn't see that. Mr. Holderman and Mrs. Dunne discussed that, and there were two issues. What they ended up doing so that there is not duplication in ordinances. When there are duplications it becomes problematic. The two things that were important in the Parks Ordinance were to allow dogs in the park so long as they were on a leash and in addition to people cleaning up after them. If you go to the animal ordinance in the section on dogs, it covers that. If you ever go back and change something in the Dog Ordinance and forget to change it in the Park Ordinance then you have two conflicting directions. Plus, the animal ordinance fines were more in line. Mrs. Dunne stated some of the violations could be adjusted later, but the idea is the 193-2 and the 193-4 addresses proper dog owner behavior. She did question what public grounds covers in 193-2, but Mr. Holderman felt it includes the official parks and the Waterfront walkway.

Mrs. Dunne brought up about signage. She isn't sure what the signage is in Masullo Park, but there is some reference to the ordinance and that would have to be carried over into other locations. If dogs are going to be allowed in the park, then people need to be reminded that there is an ordinance governing that. Mr. Holderman said the Borough works with the Talleyrand Park Committee, and they are in the process of purchasing a Welcome to Talleyrand Park sign, and the bottom would have a list of ordinances. Mr. Holderman asked them to wait to get things updated.

- Ms. Hombosky reported a tree fell in Masullo Park during a recent wind storm, but it has been removed.

- Ms. Hombosky reported there is an increase attendance in Talleyrand Park and Krauss Park, which are both stops on the Pokémon Go game. She sees kids from 5 – 55 playing the game down there. At night there are cars parked and everyone is playing the game. She feels that is great because citizens are now patrolling the parks and walking around catching Pokémon's. Drivers in Bellefonte need to watch because the game is being played all over town.

- Mr. Holderman said there has been a long-standing issue with the Train Station. When there are downpours, the downspout can't handle the amount of water. It is on the schedule to fix that after Labor Day. The Bellefonte Historic Railroad Association will assist the Borough with the brick work once it is finished.

- The Freight House has all been put together properly. Mrs. Dunne stated it had to be secured. The floor had to be secured to the support structure and that is completed. There is still other construction to do before they are able to move in.

- Mr. Beigle feels the amount of ducks accumulating at the park needs to be addressed. He feels there are too many. He said it is a mess in the park from the duck feces. He recommends asking the Game Commission to relocate some. He would like to maintain a level amount of ducks there. Mr. Holderman said when this is done you have to go through USDA, and there is a cost of approximately \$3,000.00 to \$4,000.00.

HUMAN RESOURCES – Ms. Tosti-Vasey reported the Borough currently has an opening for a Refuse Loader. It is advertised on the Borough website. Anyone interested in applying for the position must do so by Wednesday, August 17. It is also listed in the CDT.

- Ms. Tosti-Vasey reported Human Resources received a complaint, investigated it, and found that the complaint is unfounded.

SAFETY – No report.

WATER/SANITATION – Mr. Beigle reported that water usage is up. There is no meeting in August, but the September meeting will be on Wednesday, September 7.

STREETS – Mr. Johnson made a motion to approve the vacation of Dunlap Street. Mr. Beigle seconded the motion. This will include a 638' section of Dunlap Street between High Street and Lamb Street; a tract of road 260' from High Street and 134' in from Lamb Street. This has no impact on the property owners at the High Street end or the Lamb Street end. This is an allowable expense for what was done on the Waterfront project and there will be compensation of half the money for the cost of the work on that end of the property, which if the street were put back in it would not have been an allowable expense. Once a developer purchases the property perhaps they will want it back in or do some different things on how they will access their property. It provides more flexibility for a developer by doing this. Mr. Holderman said the curbing and storm

drain is completed the whole distance so the road could easily be reinstalled. A voice vote was unanimous.

- The work on School Street began today. The equipment has been moved in, and they are staging the equipment. Some amacite has been cut near High Street. They are using the old Weis parking lot for a staging area for equipment and materials.

- Mayor Wilson had a letter from a resident on East Bishop Street. Mr. Johnson and Mayor Wilson both looked at the property. The Borough painted the curb yellow. The property faces Bishop Street but it goes from Bishop Street back to Logan Street. On the Logan Street side is an abandoned garage and camper storage. The gentleman does not use the garage at this time, but the curb was painted yellow. It is thought that he requested it be painted yellow at one time. Since then his daughter has parked there for twenty years while it was not painted yellow and recently received a citation for parking in a yellow zone. At the Mayor's request he exonerated the ticket and asked the Streets Committee to review the situation. Mr. Johnson talked with the owner, who would like it to be reverted back to non-restricted parking with the understanding that it becomes open to the public to park there if his daughter does not get there first.

Mr. Johnson made a motion based on the input of the homeowner to return the section to non-restricted parking. Mr. Beigle seconded the motion. Mr. Holderman said it was probably painted yellow because there is a garage there and the resident didn't want anyone parking in front of his garage. The garage is currently abandoned but the homeowner would like to resurrect it in a few years. This area is not within the turning area of Logan Street. It wouldn't restrict the view. It's only painted yellow on his property where the garages are. The next property has a big sign that says do not park in front of this area because it's my garage. A voice vote was unanimous. Mr. Holderman asked Mr. Johnson to get together with him so the correct area is painted.

- The question was raised as to whether there has been any progress on the caution light for North Thomas Street. Mr. Holderman said Mr. Stewart was working with PennDOT. Mr. Holderman said it takes some time.

- A streetlight was reported out by a resident that lives near Mr. DeCusati. Mr. Holderman said it was fixed last week.

- Mr. Holderman said someone brought to his attention at the top of Spring Street near Crawford that some trees need to be trimmed back along the road. We will take care of that as well.

- At the last meeting, Mr. Brachbill suggested the green postal box on the corner of Badger and East High Street be looked at for removal and possibly write a letter to the post office to see if it was needed. Mr. Brachbill said there are weeds growing up by it, and it is blocking a drain. Mr. Holderman will make sure a letter gets written to the post office this week.

- Ms. Tosti-Vasey was walking downtown and observed a 6' tall man getting bumped with a tree limb in front of Trinity United Methodist Church. She tested it out and swiped the limb. It needs to be trimmed.

- Mr. DeCusati requested the street sweeper clean up the loose stone between Linn and Lamb Street around Ridge. They did Lamb Street, but they didn't do Ridge Street. He appreciates what was done, but would like them to clean Ridge Street between Lamb Street and Linn Street.

ENERGY & ENVIRONMENTAL CONSERVATION – Mr. Clark to approve the Amendment to the Ordinance Chapter 193 Animals to permit beekeeping in the Borough. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- At the work session before the Council meeting there was discussion regarding electrical suppliers. Based on a presentation from APPI, the decision was made to move forward with keeping the current supplier through COSTARS for the following year; however, there are plans to meet with several consultants over the next several months to discuss alternates to going with COSTARS.

Mr. Clark made a motion to continue with COSTARS for one year and follow up with other suppliers. Mr. Beigle seconded the motion. A voice vote was unanimous.

OLD BUSINESS

- Ms. Tosti-Vasey made a motion to accept the agreement between CATA and Bellefonte on the Local Match Share Agreement. Mr. Brachbill seconded the motion. A voice vote was unanimous.

- Ms. Tosti-Vasey made a motion to approve the Resolution certifying that the Borough will make the payments over the next four quarters in the amount of \$4,526.00 for operating expenses; and \$1,229.00 for the capital contribution. Mr. Brachbill seconded the motion. Mr. Beigle does not understand why there needs to be a resolution. Mrs. Dunne suggested that CATA uses this for applying for grants. A voice vote was unanimous.

- Ms. Hombosky discussed the Bellefonte Web Site Map. Mr. Holderman reported there is a website adhoc committee that is looking at the redesign of the current Borough website. They have contracted with Loaded Creative and the committee has gotten together a couple of times. One of the things that the folks doing the website asked the Borough for was to develop a site map on how they would like the site to look. Ms. Hombosky, with her expertise in this area, has been a great help and has taken the lead with the committee and put the site map together. In the packets tonight is what they are proposing to be sent to Loaded Creative. The question was raised "does it improve our current website" and the answer is yes. Ms. Hombosky said on the Bellefonte Borough Site Map a lot of pages were deleted that were not needed. They decided there are three main stakeholders that will look at the site. There are residents, people who own residential rental properties or commercial rental properties, and visitors. They are going to have some quick links so residents can

quickly pay fines or do their business with the Borough. They are considering building out a nicer section that basically highlights what is great about Bellefonte. It is hard to understand it all until it is up and running. Mr. Holderman said it was a great advantage having Ms. Hombosky sit on this committee. The committee met on two separate occasions for a couple hours, and that doesn't include how much time Ms. Hombosky put in on her own time to get the site map up to where it is. Ms. Hombosky said this will save money later if it is flushed out now. Ms. Hombosky explained the color coding and what the various PDF files were for. She feels this is a great opportunity to not just make a website that will be easier for residents but also will attract new people to the area. She feels you need to think about how you can grow that section to make it look as friendly and great as possible. Mr. Holderman said the point of this tonight is to get it off to Mark as soon as possible. He requested Council members provide him with feedback within a few days and then it will be forwarded to Mark so he can begin to design the site. The idea is to make it easier and have more transparency to what Council does.

- Mr. Brachbill said if Council members read the minutes from the meeting with Code on July 19th and have questions they should contact Walt Schneider. The meeting was good with a lot of good discussion. Mr. DeCusati said one concept here as a way for feedback for residents who may not be happy with code is that there is a Board of Appeals made up with Bellefonte residents. The first step of the appeal is to Walt Schneider. If they are unhappy with his decision, they could go before the Board of Appeals. Mrs. Dunne said the last paragraph of the minutes says Walt is going to make updates and corrections regionally. Does that mean those changes that Bellefonte has made will be going to Centre COG. Mr. Brachbill said once he gets all his meetings done, he is going to combine things. There were different misprints and things that stood out. One paragraph was numbered incorrectly. Ms. Tosti-Vasey said they are trying to standardize across the entire region so there are some sections that aren't applicable to Bellefonte. Part of the process will be little footnotes at the bottom of the code that says this is not applicable to Bellefonte and we will not be enforcing this section of the code in Bellefonte. There is still not clarity for the two years versus three years. Walt recommends to Council that he would like to get through one more set of inspections and then put Bellefonte on the same track as the Centre Region. That would be two more years and then after that it would be three years. Council members would like to see the results of the inspections that he does. Mr. Holderman says the inspection costs approximately \$105.00. In Bellefonte that is paid in increments of two and in the Centre Region it is paid in increments of three. Mr. Johnson thought a six-month report would be in the packets for Council members. Mrs. Dunne said there is a report form that has been used. Mr. Holderman will find the report and provide it to Council members.

NEW BUSINESS

- Council approved the Arts & Crafts Fair to be held in Talleyrand Park. In the past in their letter they have always requested a backup, and that would be having the fair on High Street and Allegheny Street like they used to. For the Borough to proceed

with approval, there must be approval from Council to do that. They didn't put that in their letter, and Debbie Hamilton is on vacation so they can't get it from her. Mr. Holderman said the only way it wouldn't be held in Talleyrand Park is if there is a storm like they had in Maryland and to having the fair there would destroy the park.

Mr. Brachbill made a motion that, as in past practice, their backup in case of a major rainstorm that prevents their use of Talleyrand Park, that they be permitted to use High Street and Allegheny Street. Ms. Tosti-Vasey seconded the motion. A voice vote was unanimous.

- Mr. Brachbill said there are some updates that have not been done on the website such as committees, etc. Mr. Holderman said there have been problems with people hacking in to the website. He will inform Ms. Stanton.

ADJOURNMENT

- With no other business to come before Council, Ms. Tosti-Vasey made a motion to adjourn the Council Meeting of August 1, 2016, at 9:15 p.m. Mr. Johnson seconded the motion. A voice vote was unanimous.