

**BELLEFONTE BOROUGH COUNCIL MEETING**  
**September 6, 2016**  
**www.bellefonte.net**

**CALL TO ORDER**

The regular meeting of the Bellefonte Borough Council was called to order by Council Vice-Chair Randy Brachbill 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: Johnson, Tosti-Vasey, Beigle, Brachbill, Brown, Clark, DeCusati, Hombosky,

Members Excused: Dunne,

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

Staff Present: Vana Dainty, Keystone Community Coordinator

Guests: Phil Lowry; Emma Gosalvez, Lock Haven Express; Nancy Perkins;  
Al Vicere, Jana Marie Foundation;

**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 August 15, 2016 Meeting Minutes
- Communications – Letter request from YMCA
- Communications – Letter request from BAHS re: Governor's Park
- Communications – Letter request from J. Stanek re: Governor's Park Ball Field
- Communications – Letter request re: Homecoming Parade
- Communications – Letter request re: Street Closure for Halloween Parade
- Communications – Letter request re: Give Em' 5! Veterans Run
- Finance – Approval of Invoice from Stover McGlaughlin

Mr. Beigle made a motion to approve the Consent Agenda with the Give Em' 5! Veterans Run letter removed for questions. Mr. Clark seconded the motion. A voice vote was unanimous.

The Give Em' 5! Veterans Run has taken place for several years. It is November 6<sup>th</sup> at 1:00 p.m. It begins at the Middle School and goes through Parkview Heights. The Borough does the permitting for this and if there are state roads involved then permission is obtained.

Ms. Tosti-Vasey made a motion to approve the request. Mr. Johnson seconded the motion. A voice vote was unanimous.

## **REGULAR AGENDA**

### **COMMUNICATIONS**

#### **WRITTEN**

- A letter from the Spring Creek Watershed Association. There will be a 20<sup>th</sup> Anniversary Celebration on Saturday, September 10, from 1-3 p.m. at the Millbrook Marsh Nature Center. Council members are asked to RSVP if they are interested.

- Notice of 2016 Distress Determination in regard to the Borough's Pension Programs. There is a good rating in the system.

- A letter request from a resident that would like to establish a Community Cupboard and put it somewhere on Borough property.

This will be turned over to the Property Committee for review and recommendation. It was requested that they attend a Council meeting and provide more information.

- A Certificate of Appreciation from CareerLink. Workers were used through the program for summer help.

- A letter request from JPL regarding permission to shoot a video in Governor's Park on September 13<sup>th</sup>. The company is working with Geisinger Health System.

Mr. Johnson made a motion to approve this request. Ms. Tosti-Vasey seconded the motion. A voice vote was unanimous.

- A thank you letter from the Bellefonte Arts & Crafts Fair Committee. They thanked the Borough for their assistance during and prior to the fair. They also provided some donations.

- An email from SEDA-COG regarding upcoming train rides. The Bellefonte Fall Foliage rides will be October 22<sup>nd</sup> and 23<sup>rd</sup>.

- A letter from St. John's United Church of Christ requesting permission to close Church Lane from North Spring Street to North Locust Street on Sunday, September 18, from noon to 2:30 p.m. for a block party.

Mr. Beigle made a motion to approve the request. Mrs. Brown seconded the motion. A voice vote was unanimous.

### **ORAL**

- None.

### **SPECIAL COMMITTEE REPORTS**

- None.

### **MAYOR'S REPORT**

- Mayor Wilson read a resolution designating September 2016 as Centre County Suicide Awareness and Prevention Month. September 10, 2016 is Centre County Suicide Awareness and Prevention Day.

- Mayor Wilson has been approached by a number of citizens with suggestions to the Borough. One suggestion was to give attention to a problem in the Borough of feral cats. Mayor Wilson would like to see a committee research this and come up with a plan to do something. Mr. Stewart said in the past there were volunteer citizens that took the initiative to collect the cats and find homes for them. A lot of agencies don't have the staff or resources to collect the cats. Mr. Stewart will schedule time in a work session to discuss this. Ms. Tosti-Vasey suggested contacting PAWS. There is a new veterinarian in State College that is called Feline Only that may be able to help. Mrs. Brown suggested contacting other municipalities to see what they have done.

Two citizens have asked what the regulations were regarding fishing along the Waterfront Walkway. Mayor Wilson tried to explain to them that you are not to fish from the walk or bank, but from the stream. Someone suggested it would be nice for families to be able to fish from the side. Mayor Wilson has spent the last several days there observing and surveying who is fishing there. He feels that perhaps the safety issue is being overplayed, but does know that there would be an issue with fly fishing. He is requesting that before a hard and fast rule be made based on safety that an opportunity not be lost to have an asset right along the stream go to waste. He asked Council members to spend some time there and make observations of how people are fishing, what is being used for, how much traffic there is, etc., before any hard-and-fast rules are made. Council members told Mayor Wilson that there is a hard-and-fast rule made already, and it is in the ordinance. The Park Ordinance was amended on August 1, 2016. It was based on safety so people don't get hooked.

- Officer Brower was at the meeting to answer questions. He talked to both SRO's last week. School has kicked off very busy. There was some incidents right from the start. They are starting classes already at the elementary schools.

The Grange Fair Committee did a Law Enforcement on the Thursday. He and the Chief went over and participated in that. Every police department in the County sent representation. They were to mingle with the crowd. It was an extremely positive experience. Many people approached them and thanked them for their service. There were approximately 15 officers there. They all went in the parade also and all had a vehicle in the parade.

Mrs. Brown noted that Fred Smith organized that and got all the police officers to come. He is a retired police chief from Bellefonte.

## **OFFICE OF COMMUNITY AFFAIRS**

### **ZONING/PLANNING**

- A memo from V. Dainty informing Council there will be a Public Hearing for the rezoning of the plot of land owned by Centre County on October 3, 2016, during the regular scheduled Council meeting. Letters have been sent to property owners within the area being rezoned. The Public Hearing will be advertised two times prior to the meeting and posted at least one week before the hearing. Please call the Borough office if you have questions.

Mr. Brachbill asked if the Waterfront Development would be divided lots or one lot. Mr. Stewart said the discussions were towards keeping it as one lot. The property will be surveyed, and the walkway will be designated in that survey, and the Borough will retain ownership of it.

- Ms. Dainty provided the keystone Community update. In the last year ten to eleven new businesses have opened in Bellefonte, and they are all going to do one big, humungous opening on September 24<sup>th</sup>. It will be between 10:00 and 10:30 a.m. The ribbon cutting will take place on the middle of the Diamond. All the businesses will be involved. Representative Benninghoff will be there. Senator Corman and Representative Thompson have been invited and if they can't make it, they will have somebody representing them. A couple Commissioners are coming. This is being done through the Small Business, the BelleKey, and the Chamber of Commerce. It will all be down the middle of town. It will be celebrating the new and the old because the established businesses will offer sales that day also. They are going to request free parking on that Saturday to help get people into town and have a place to park.

The ten businesses are: Happy Valley Winery; Dam Donuts; The Christmas Shop; the new owner of Cool Beans; the Velvet Salon; the Black Horse Art & Frame Shop; the Bark Boutique, which will be opening soon; the Courthouse Crepes; Remarkables; Helen Fox; and Brad and Tim's. Ms. Dainty invited all of Council and the Mayor.

Ms. Tosti-Vasey made a motion to permit free parking in downtown Bellefonte on Saturday, September 24<sup>th</sup>. Mr. Beigle seconded the motion. A voice vote was unanimous.

- Ms. Dainty said they are out of money with the Façade Grant. In the next week or two she will have \$712.58 that she will turn in to the state for somebody to be

reimbursed. That means that in the past year there has been \$100,000.00 in renovations in the downtown Central Business District. They had \$50,000.00 and the people had to match the grant. Ms. Dainty said a lot of communities don't get rid of all their money so then they do not qualify for getting another round. She is in the process of writing for another round of money. She does have a waiting list already. There will be some changes in the grant, but won't be anything major.

## **HARB** **CERTIFICATES OF APPROPRIATENESS**

### 1) 206 North Spring Street

Phil Lowery addressed Council on behalf of the project for Wetzler's Funeral Home. He has been working for him for approximately two years as a contractor doing various projects. They applied and were denied through HARB to paint the brick on his building that is being used as the funeral home. The mortar on the building is red and the brick is red. The mortar joints are very thin. The mortar is beginning to fail in two different ways. There are large chunks coming out and the mortar is failing grain by grain because of the weather over the years. At the base of the building you will see a sand pile laying there so it needs sealed. They thought they would seal it and make the appearance better by painting it. Any work done to repair the mortar joints becomes very obvious and it's hard to keep those things neat. In the past there was repair work done that used gray mortar amongst the red mortar. He did some work last year on the castle part and even with adding the red to the mortar you can't match it perfectly and it stands out obviously. They were also proposing to pressure wash lightly and use a paint that is as close to the brick color as possible so it wouldn't affect the appearance of the building, but would brighten it up. It would be a flat paint. They had discussed doing a clear seal, but the painting companies could not guarantee that the seal wouldn't have a sheen on it so it could result in a shiny building. He just wanted to emphasize that they are trying to get the mortar joints taken care of so the building isn't damaged any further with the weather and to make the building more uniform. Mr. Wetzler is trying to fix the property up. He asked that Council consider reversing HARB's decision. There is only one type of brick used on the building. In some spots they break the bricks, and it gives a different texture. The alternative if the brick is not repaired in this manner is that you would be able to see every repair spot. The estimated life of painting depends on what side of the building, but they plan to do touchup every seven years. Mr. Lowery said this is a hard brick.

Ms. Dainty said Mr. Lowery requested guidance on a type of solvent and HARB is willing to help him find one that would not put a sheen on the building. She said the standards that they applied when the project was turned down is "the chemical or physical treatments, if appropriate, will be undertaken with using the gentlest means possible; treatments that cause damage to historical materials will not be used. Deteriorated historic features will be repaired rather than replaced; where the severity of deterioration requires replacement of a distinctive feature the new feature will match the old in design, color, texture, and where possible materials. Replacement or missing features will be sustained by documentary and physical evidence." Ms. Dainty read from the Secretary of Interior Standards for Rehabilitation and Illustrated Guidelines for

Rehabilitation of Historic Properties which says it “recommends identifying retaining or preserving masonry features that are important and defining the overall historic character of the building such as walls, brackets, railings, cornices, windows, doors, steps, and columns and details such as tooling, bonding, patterns, coatings and colors. It is not recommended removing or radically changing masonry features which are important and defining overall historic character of the building so as a result the character is diminished. Replacing or rebuilding a major portion of an exterior masonry wall that could be repaired so that as a result the building is no longer historic and essentially new construction. Applying paint or other coating such as stucco to masonry that has been historically unpainted or uncoated to create a new appearance.” It does not recommend painting historical buildings by the Interior Standards, which is why the project was turned down. They ask that Council upholds the decision of HARB. They would gladly help Phil and Frank Wetzler find a solution that would not put a sheen on his building.

Ms. Dainty feels Mr. Wetzler will keep the building in good repair, but her concern is what happens when he is no longer there. The next person may not take care of it. It is a prominent building in Bellefonte. Mr. Beigle said from experience what they did with buildings was cut all the joints out and then caulk on top of the mortar. He said there is a spray that you can put on top of mortar joints and seal the joints and bricks without getting a sheen. He said you would need to contact people that do a lot of restoration work. He said the sealant would need to be applied every so often. He feels there is a solution, but you would need to do some research to find it.

The only part of the project that HARB wasn't approved was the painting of the brick. Everything else in the project was approved. Mr. DeCusati suggested looking at some of the old brick buildings on the PSU campus and see if there could be another solution. Mayor Wilson doesn't disagree with HARB's decision on the painting, but Mr. Wetzler has been a real advocate of town and helps many organizations but he would hope that Council and HARB would work with him. He would like to make this work for everybody. Ms. Dainty said HARB would be happy to work with him in finding a solution.

Ms. Tosti-Vasey made a motion to approve HARB's recommendation to deny the painting and accept the rest of the project. Mr. Beigle seconded the motion. Mr. Brachbill feels if anything will affect the future of what he does with the building will be the cost and he feels that needs to be kept in mind when making these decisions. The motion passed with Mrs. Brown voting no.

## 2) 445 East Curtin Street

Mr. Beigle made a motion to approve the Certificate of Appropriateness at 445 East Curtin Street. Ms. Tosti-Vasey seconded the motion. A voice vote was unanimous.

- Mr. Beigle made a motion to approve the changes to Ordinances – Chapter 330 and Chapter 62 with the changes listed in red. Mr. Johnson seconded the motion. Ms. Hombosky had two questions regarding page 37, section 330-10, the red section that says the property owner has one year to initiate the project and then three lines down it says the property owner has one year to complete the project. It just means they have

one year to complete the project. Her other concern was the imprisonment term not to exceed thirty days. Ms. Dainty said it never gets to imprisonment. It is only if they don't pay the fine or do what they need to do.

Mr. Brachbill would like to table the discussion so Council has time to review this. Mr. Stewart will schedule a discussion for a work session. Mr. Beigle withdrew his motion.

Ms. Tosti-Vasey made a motion to table to discuss at a future work session. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Draft meeting minutes from the August 23, 2016, HARB meeting are in the packet for review.

**BUILDING AND PROPERTY** – Mr. DeCusati made a motion to have Mr. Stewart contact the Borough Solicitor and get his opinion regarding Unordained Property. Ms. Tosti-Vasey seconded the motion. Mr. Stewart stated all through town there are unopened unordained right-of-ways and over the last several years a lot of money has been spent taking care of trees that have come down on the owner's property. Mr. Stewart would like to determine who is legally responsible and is there a process to turn over some of the properties. Once there is an understanding of the legality then some lanes that are never used could be gotten rid of. A voice vote was unanimous.

- Mr. DeCusati made a motion to have the Waterworks Building connected to the Gamble Mill turned over to the IDA. Mr. Beigle seconded the motion. Mr. DeCusati reported that the Committee met with folks who hope to have possession of the Gamble Mill property in the near future. There is a part of that building that the Borough still owns. It is where some old equipment, a turbine for water that is no longer used, is located. The suggestion is to have that turned over to the IDA to consider disposition for it. A voice vote was unanimous.

**FINANCE AND GOVERNMENT PERFORMANCE** – Mrs. Brown reported the Finance Committee had a quarterly meeting on the Police Budget, and it all seems to be in order. It is in line with year-to-date.

**PARK AND RECREATION** – Ms. Hombosky reported there was a meeting before tonight's Council meeting, and they discussed the forthcoming signs listing regulations and where they will be posted in Talleyrand Park and the Waterfront. They also discussed placement of doggy bags, which will be placed in Talleyrand Park, Krauss Park, and Governor's Park for use of people with their dogs.

- The USDA will be in town Thursday regarding the ducks.

**HUMAN RESOURCES** – Ms. Tosti-Vasey reported they are in the process of interviewing the candidates for the opening in the Refuse Department. There is a small group that will have a second interview over the next couple of weeks.

Mr. Holderman would like to have a meeting prior to the September 19 Council meeting.

**SAFETY** – Mr. Brachbill said the Bellefonte Borough Safety Committee meeting will be held Wednesday, September 14, at 1:00 p.m. in Council Chambers.

- There will be a COG Public Safety Meeting on Tuesday, September 13, beginning at noon in the COG forum room.

**WATER/SANITATION** – Mr. Beigle reported Mr. Stewart will be making a National Rural Water trip on September 12.

- Mr. Beigle reported there was a high withdrawal on the Daily Water Withdrawal report on the Corning Line because Rockview started using the Borough's water because of a leak.

- The Big Spring Cover project is completed. Mr. Beigle has received nice comments about the new cover. This cover drains a little different than the old cover. There are a few people that don't like it. There are some electrical issues with the fountain, and hopefully it will be working soon.

- There will be a Borough Authority meeting on Wednesday, September 7, at 6:00 p.m.

**STREETS** – Mr. Johnson made a motion to approve payment of the Nastase Construction invoice for the School Street Project in the amount of \$153,517.50. Mr. Beigle seconded the motion. Mrs. Brown asked if that matched the bid. Mr. Holderman said there was one change order for \$30,000.00 to repave all of School Street rather than just a portion of it. This is everything except 10% of the cost. It is within the contract price. A voice vote was unanimous.

- Mr. Johnson reported something came up with the caution light that is being added to North Thomas Street at the dangerous curve. During the discussion with Mr. Stewart and Nittany Engineering, it was suggested that the Borough only asked for one light that could only be put in one direction. The engineering company recommended the installation of two lights so there would be one in each direction. The permitting cost is the same, but the hardware for the second light is added. Both lights would still be in the Borough. It results in approximately an additional \$12,000.00.

Mr. Beigle made a motion to approve the installation of a second warning light approaching the Thomas Street Curve coming from the Coleville area into Bellefonte. Mr. Johnson seconded the motion. A voice vote was unanimous.

- At the last meeting there was a memo from a resident on South Thomas Street in regard to special event parking. Their parking spaces are full during these events. The Streets Committee met and considered doing a survey with the residents and perhaps following some other Borough methods by issuing permits, which may be a fee to the residents, so they would have reserved spaces. They would have a sticker that would allow them to park on the streets.

Mr. Stewart reported after doing research there are residential parking permit programs available. Some have fees associated with them. The Borough would like to get a feel from the residents regarding how this would impact them and whether they would feel comfortable being in a program like this.

Ms. Tosti-Vasey talked to a friend in State College approximately 15-20 years ago. There was one block in the Park Avenue area where they did the survey and every other block around them wanted the permitting. This little block said they didn't want to do this. As a result the town created an ordinance for permitting for everyone with the clear exception of that one little street. Ms. Tosti-Vasey suggested when the Waterfront is going to be developed there could be dialog with CATA regarding a Trolley System.

- There is some local street patching going on. It is not the paving project that was approved several months ago. Hawbaker will be doing paving sometime soon. Blanchard Street, High Street, Shoemaker Avenue, and Cherry Lane were approved to be repaved. Mr. Holderman reported it is only a portion of each of those streets.

- Mrs. Brown asked if the manhole at the corner of Allegheny Street and Bishop Street has been taken care of. Mr. Stewart stated there was a walk-through when PENNDOT paved. He will check to see if that particular manhole was noted.

**ENERGY & ENVIRONMENTAL CONSERVATION** – Mr. Stewart put a memo in the packet several meetings ago regarding the MS4 program that was from DEP. Ms. Tosti-Vasey said they received information on the stormwater plans that said by January 1, 2018, small communities had to either create an MS4 plan or get a waiver. She feels Bellefonte is eligible for the waiver, but the paperwork has to be done. Mr. Stewart said according to the permit person from DEP Bellefonte is not under the program. Possibly, based on the 2020 Census, Bellefonte might be in the program, and if so would have until 2028 to do something.

## **OLD BUSINESS**

- There is information from Ms. Walker regarding the training budgets for Council to review and make recommendations. Mr. Stewart said there is some cushion in the Administrative Budget that can be used to send somebody to the Fall Conference. Mrs. Brown recommends raising the allocated amount next year, but Mr. Stewart said the budget has been very tight the last few years. It was suggested if you went to one recently perhaps you should not go. Mayor Wilson feels the spring conference is more beneficial. The fall conference is more concentrated on leadership.

- Mr. Holderman reported that the first public hearing regarding the CDBG was held September 16 at the Willowbank Building. Typically there aren't too many people there. There was someone from the Youth Services Bureau present asking the Borough to partially fund the Youth Services Bureau. In the near future, Mr. Holderman would like to bring in Matt Milliron from the County since he is administering the

program for the Borough. In the next month or two the project needs to be picked that the Borough would like to apply for in the next application process.

Mr. Stewart said it sounds like the sprinkler program is still moving forward. No one has said no to it yet. If the money is approved, a property owner can be helped out significantly with these funds to install sprinkler systems. Mr. Holderman said a precedent for the state could be set in a project like that because it isn't being done anywhere else in the state. It falls under the Historic Preservation category and would be a great project for Bellefonte Borough.

Ms. Tosti-Vasey learned at the public hearing that it has become very advantageous under the CDBG project that the County is administering the program because the state says that there is a 30% max cap. When the Borough was doing it on its own, the cost for the sprinkler system would have been much more than an individual 30% project. The Borough's plan is basically 30% of the entire County budget, and we can put all of our money into and we can do something that helps us and the County at the same time. Mr. Holderman said 70% of the CDBG funds must be used for low to moderate income areas. Because the funding comes in under the County under one contract, when you look at the total, 30% of the County's budget is approximately \$100,000.00, which is what the Borough gets, so that 30% they can apply to non-LMI funds, which helps in the justification of the project.

Mr. Holderman was requested to bring some of that information to the Fire Task Force meeting later this month.

- Incentives/Rapid Response will be discussed in more detail at the work session scheduled for September 19<sup>th</sup>.

## **NEW BUSINESS**

- Mr. Stewart said the PA LCB scheduled a hearing in Council Chambers on Thursday, September 8, at 11:00 a.m. This was done approximately a year ago in applying for the noise ordinance exemption. The Borough is asking to have the noise ordinance enforced locally instead of the PA LCB's noise ordinance, which says noise cannot extend or go beyond the property line at one of their establishments. Chief Weaver has been invited to the meeting. The Borough will ask for a three-year permit. Council members are invited to attend.

- There is a list of Borough Association webinars at the table for Council members to review. Council members should let the Borough Secretary or Mr. Stewart know if they are interested in any of the webinars.

## **PUBLIC COMMENTS**

- Mr. Holderman let Council know that the folks that are helping with the website met earlier this evening to go over comments that were received from the contractor. Through the committee they worked through those. That process will continue and is ongoing.

- Mrs. Brown feels in the future the Borough needs to charge for the use of the baseball field for Select Baseball because the Borough residents are charged for the use of Talleyrand Park if they want it. Mr. Holderman recommended modifying the fee schedule at the end of the year.

## **ADJOURNMENT**

- With no other business to come before Council Ms. Tosti-Vasey made a motion to adjourn the Council Meeting of September 6, 2016, at 8:55 p.m. Mr. Johnson seconded the motion. A voice vote was unanimous.