

**BELLEFONTE BOROUGH COUNCIL MEETING**  
**October 19, 2015**  
**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, Spicer, Walker,

Members Excused:

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

Staff Present:

Guests: Joanne Tosti-Vasey; Todd Smith' Rod Beard; Ruth Fornicola;  
Beth Fornicola; R. Timothy Smith; Deb Smith; Emma Gosalvez;

**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 October 5, 2015 Meeting Minutes
- Mayor – Police Exonerations
- Mayor – Police Report
- Finance – September 2015 Voucher Summary: \$834,249.57
- Finance – McQuaide Blasko Invoice

- Finance – Treasurer’s Report

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

## **REGULAR AGENDA**

### **COMMUNICATIONS**

#### **WRITTEN**

- An email from Elizabeth Lose, Centre County Planning and Community Development Office, reminding of a Public Meeting on the Community Rating System (CRS) Program to be held on Thursday, October 29, at 4:00 p.m. in Centre County Government’s Willowbank Building, Emergency Operations Center.

- A letter from Robert Sweitzer, District Manager, Centre County Conservation District, inviting the staff to a *Showcase of Conservation Projects* on Friday, November 6<sup>th</sup>, at 12:30 p.m. The trip will leave from the Fullington Bus terminal located at 2101 Alexander Drive, State College on a Fullington Motor Coach. The tour will see the stream restoration projects in Talleyrand Park and the Bellefonte Flood Wall that is currently under construction. The next stops will be at the Ulmer Farm on Blanchard Street and the Murmac Farm off route 64 to see the Agriculture Best Management Practices that CCCD has installed. The group will then travel to Hublersburg to view the stream restoration work that has been completed on Little Fishing Creek and on the Tice and Stoltzfus properties. Next will be the Charlie Vonada Farm to see improvements made there. The day will end at the John Esh farm and cheese cave where you will be able to enjoy Goot Essa cheese and other light refreshments. The trip will arrive back at the Fullington terminal by 4:30 p.m. The trip is funded by the Pennsylvania Association of Conservation Districts.

Anyone interested in going should reserve their seat by October 22 by calling 814-355-6817.

- There will be a Flu Vaccine Clinic on Tuesday, October 27, from 2:00 p.m. – 4:00 p.m. in the Council Chambers. The Borough will cover the cost for employees. The cost for spouses, friends, etc. will be \$28.00. Rite Aid will be administering the vaccines.

- A letter from Pam Seasoltz, Director of Development, Home Nursing Agency Foundation, requesting funding assistance.

- Information from the Economic Development Summit that took place in Bellefonte on October 6.

- A letter from Reverend Frank Skies, Church of the Good Shepherd, requesting a road closure of Valentine Hill Road in front of the church from 6:00 p.m. – 8:00 p.m. for a “Kid’s Meet & Treat” night.

Mr. DeCusati made a motion to approve this request. Mr. Walker seconded the motion. The Borough will notify the 911 Center. A voice vote was unanimous.

- A letter from James H. Dunne, Secretary, Bellefonte Historical & Cultural Association (BHCA), requesting a fee waiver of the Planning Commission Fee.

Mr. Walker made a motion to approve this request. Mr. Beigle seconded the motion. A voice vote was unanimous. Mrs. Dunne abstained from voting.

- A letter from Deborah C. Smith, 113 Kathryn Drive, regarding the fluoridation issue requesting the assistance of Council with regard to the Borough Authority’s decision to stop the use of fluoridation in the water.

## **ORAL**

- Dr. Deborah Smith, 113 Kathryn Drive, Bellefonte, she provided Council with a letter and is requesting that Council give attention to the serious public health issue regarding removing fluoridation from the water. She is requesting a well-advertised public hearing at which expertise on the benefits of fluoridation and the consequences of stopping it can be presented and members of the public can speak to Borough Council about this issue.

Mr. Halderman and Mr. Beigle are on the Authority. Currently the Authority has asked DEP for approval to remove fluoride from the water. DEP has provided a letter regarding the next steps to remove fluoride. There are no requirements for a public hearing. There is a requirement for public notice, which has been given to all the residents that would be affected by this decision.

Mr. Stewart would like the opportunity to explain to Council why the Authority decided to remove the fluoride. He said Council has no Authority in directing or overseeing the policies of the Bellefonte Borough Authority, except when they appoint members.

The Mayor of Tyrone contacted Mayor Wilson regarding the fluoride removal from the water. Tyrone decided not to remove the fluoride from their system in Tyrone because of a large outcry of the people.

Mr. DeCusati suggested sending a resolution to the Authority stating how Council feels on the matter.

Mr. Brachbill stated with the health concerns of the staff handling the chemicals perhaps they should be at the meeting to explain what their position is.

Mr. Beigle stated the Authority does take the citizen’s consideration.

Mrs. Dunne would like a public hearing on this issue.

At the next Council meeting Mr. Stewart will try to discuss this at a work session and then have a public hearing right before the Council meeting.

Mrs. Dunne made a motion to hold a work session and a public meeting prior to the next Council meeting. Mr. Walker seconded the motion. The work session and the public hearing will be one in the same. This will be advertised and the staff members

will be notified. The meeting will be held in Council Chambers. A voice vote was unanimous.

### **SPECIAL COMMITTEE REPORTS**

- IDA draft meeting minutes from October 14, 2015 are in the packet for review.
- Mrs. Dunne announced that the Fire Protection Task Force will meet Thursday, October 22, at 6:00 p.m. in Council Chambers. The public is invited. Council members on that task force are requested to submit their reports so they can be sent out with the agenda. They are also requested to bring their calendars so a meeting date can be changed.
- The Fire Executive Committee will meet on Thursday, October 22, at 7:00 p.m. following the Fire Protection Task Force meeting.
- Mr. Beigle reported everything is fine at the airport. Ridership is close to where it was last year.
- Mr. Halderman and Mr. Stewart attended the Pennsylvania Borough's Association conference over the weekend and got lots of handouts on various programs. Mr. Stewart will provide those to Council. The opening speaker was the pilot of President Bush's plane during the 9/11 emergency.

### **MAYOR'S REPORT**

- Mayor Wilson thanked the community for the large turnout for the homecoming parade.
- The Fall Festival and Antique Fair in combination with the Fall Foliage Train Rides were held this past weekend. The tickets for the Santa Express went on sale this morning and are sold out.
- Sergeant Holiday was at the meeting to answer questions. Mrs. Brown asked if the Health & Safety assist is with the ambulance, which it is.

### **OFFICE OF COMMUNITY AFFAIRS**

#### **ZONING/PLANNING**

- A Public Hearing regarding Amending Chapter 500 Subdivision and Land Development was opened. The current language is being changed that states "ten calendar days prior to the meeting of the Borough Planning Commission" to say "fifteen business days prior to the meeting of the Borough Planning Commission."  
Joanne Tosti-Vasey asked how this affects the HARB process, which it does not.

Mrs. Dunne made a motion to close the Public Hearing. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Mr. Beigle made a motion for Approval and Adoption of Codified Ordinance Amendment to Chapter 500 Subdivision and Land Development. Mr. DeCusati seconded the motion. A voice vote was unanimous.

- Ms. Dainty provided the façade grant update. There is approximately \$4,400.00 left. She has something that came in today that will use that money. There was \$5,000.00 in hold for 141 South Allegheny Street that was tabled because he did not have all his information. When he comes back he will not get the full \$5,000.00. There are applications still coming in. There are deadlines for the projects and if they haven't started by the deadline their application will be pulled and the money will go to the next person. When it is completed there will be \$110,000.00 of improvements in downtown Bellefonte.

The façade program came from DCED. It is for the designated area, which is the area of the Keystone Community designated area. You submit your project and before it can get anything done it must have HARB approval. There is then an application to fill out. They need to provide their estimates and then the committee that approves the façade grant reviews the projects and decides if they are awarded or not. The maximum anyone can get is \$5,000.00. It is a matching grant. Joanne Knupp, George Stone at State Farm Insurance, and John & Linda Jabco have had their projects approved. The properties must be in the designated area but are not required to be businesses.

- Mr. Walker made a motion to approve the Land Development Plan for Roger's Stadium at Bellefonte High School. Mr. Spicer seconded the motion. A voice vote was unanimous.

- Bellefonte Borough Planning Commission draft meeting minutes from September 28, 2015 are in the packet for review.

## **HARB**

### **CERTIFICATES OF APPROPRIATENESS**

- None.

- A sample of the revised Bellefonte Historical and Architectural Review Board application was in the packets.

- Draft HARB meeting minutes from October 13, 2015.

**BUILDING AND PROPERTY** – Mr. Walker recommends that the Borough does not entertain the Unison proposal to broker some sites for cell towers since the Borough has successfully done so on its own over the years and avoided paying brokerage fees.

**FINANCE AND GOVERNMENT PERFORMANCE** - Mrs. Dunne feels the Borough is staying pretty close to the budget. The Finance Committee can use this more sensibly to construct next year's budget.

Mr. DeCusati, in looking at the Treasurer's Report stated there is a 40% difference between budgeted receipts and receipts to date. He requested a variance report before budget discussions begin. Ms. Walker will provide that in the next Council packet.

**PARK AND RECREATION** – Mrs. Brown reported the Parks & Recreation Committee has been discussing the approximately \$3,500.00 that was transferred to the Borough in the early 2000s from HBI for a fountain to honor Gino Fornicola for his many accomplishments including his time as Mayor, founder of HBI, one of the founding members of Victorian Christmas among many other notable contributions he made to Bellefonte.

Mrs. Brown made a motion to provide the small center plot of land in Talleyrand Park (see drawing) and use the funding donated by HBI Inc. to install a fountain and plaque in that location in dedication to Gino Fornicola. Mr. Beigle seconded the motion. The project could be completed in early spring 2016. The only cost to the Borough will be for staff time to complete the project. The water will be recirculating. Mr. Brachbill expressed his support for this fountain. A voice vote was unanimous.

Once the fountain is placed, there will be a dedication ceremony.

- Mayor Wilson provided an application for the PA Parks & Rec Society for the Parks Committee to review. He would like Mrs. Brown to follow up with that and bring a recommendation to Council.

- Mr. Holderman reported the Park & Rec Committee met at Governors Park. The Rotary Club donated \$12,500.00 to the Borough for additional playground equipment. The plan is to level out behind the current playground equipment and install a small retaining wall to make additional space to put the additional equipment. The excavation work will begin soon. The Rotary has an additional \$2,500.00 to give to the Borough. The Borough has funding to match that so there will be an additional \$25,000.00 of playground equipment at Governor's Park.

The Rotary Club is thanked for this.

**HUMAN RESOURCES** - No report.

**SAFETY** - Mr. Brachbill attended the Bellefonte Safety Committee on Wednesday, October 14. One of the items discussed after the Annual Training was the incidents reports. After reviewing the reports, it was felt that there needs to be more detail on the report.

**WATER AND SANITATION** - Mr. Beigle made a motion for consideration of Approval and Adoption of Codified Ordinance Amendment to Chapter 455 Sewers and Sewage Disposal. Mr. Spicer seconded the motion. This was approved by the Authority several

months ago. EPA stated an ordinance must be passed by Council. This is just a change in local limits for pre-treatment. A voice vote was unanimous.

- Leaf collection has begun and follows the refuse collection route. Put the leaves on the grass, not on the curb.

- Draft Authority meeting minutes from October 7, 2015, are in the packet for review.

**STREETS** - Mr. DeCusati reported the Streets Committee met and covered several items. The first thing is to draft new wording for the right of way portion of the Sidewalk Ordinance. The suggestions were given to staff. A draft will be provided to the committee and then it will go to Council. This will also be reviewed with the Code Enforcement Officer.

- The tour buses downtown were discussed, and there will be a discussion with Ron Wiser to improve that situation with communication and a schedule.

- Councilman Spicer did some work to try to improve a situation on East Beaver Street but did not reach an agreement with the property owners. The property owners will be asked to send a written letter of their concerns that will be sent to the insurance company.

- Mrs. Brown feels that coming down the hill on South Allegheny Street there is not enough space for a fire truck to get up. There is a large gray truck that blocks traffic. The parking enforcement officer will be asked to check on this. Chief Schneider felt when a tractor trailer was on the downhill side unloading steel there would not be enough space for a fire truck. The concerns were given to the contractor but they were asked that the driver stay in the truck in case of an emergency. Mr. Brachbill feels if the truck is in the process of being unloaded it would not be able to move quickly because the steel needs to be strapped down.

- Mayor Wilson stated there is a water leak on Bishop Street in front of Swartz. It will be fixed tomorrow.

- Mayor Wilson reported at 623 East Bishop Street there is a light out. Mr. Holderman reported if there is a lamp out, the pole number is needed to get the light fixed. The Borough takes care of the Victorian lights.

**ENERGY AND ENVIRONMENTAL CONSERVATION** - Ms. Harvey reported the committee met with Michelle Hassell and Tom Cogan of the Sustainable Communities Collaborative and explored several projects the Borough might enter into with them, including upgrading the Musser Lane Complex, making compost, expanding compost and making more (?) and beginning an initial study of the possibility of recycling residential waste. Another possible future project may be educating the public on storm

water management. The Committee will meet and present Council with a memo outlining some recommendations for projects after finances are reviewed.

- Mrs. Brown has addresses of trees that need trimmed in the downtown district. She will provide the addresses to Mr. Stewart.

## **OLD BUSINESS**

- There is a response to the CATA staff in regard to a contract change that was sent back to CATA. The change will not happen at this time because it conflicts with some other contract language. Next year they will explore changes that would be workable with both groups.

- Mr. Stewart provided an update on the Waterfront Revitalization Project. Slides were shown. The IDA is the better vehicle to do this project because they are incorporated under an economic development type of policy and can negotiate the sale of a property much better than the Borough under the Borough code. The idea is to have something that is attractive and economically healthy for the community. In purchasing the properties the IDA could negotiate much better than the Borough. All three properties were purchased with the goal of redeveloping the area. To do that a plan had to be developed to work toward the flood map plain. The properties are not usable as they are today. One important goal was to get a flood map change. Another important goal was to get environmental clearances. By the beginning of 2016 it will be close to getting both of those approvals. The public portion of the project is the walkway and the flood wall. The Borough will always own that piece. The property behind the wall will be sold to a developer, yet to be named and yet to be selected. To complete the project with no expense to the Borough taxpayers is being done through a Redevelopment Capital Assistance Grant, which is a \$3 million grant and Bulk Water Funds, which is water received through the water sale to Coca-Cola and Milesburg Borough, and are used to make the loan payments.

The lower wall had to be in by the end of September. After that no work is permitted in the stream. There will be a set of steps coming from the sidewalk on High Street and the sidewalk will continue to the Lamb Street Bridge. A lot of approvals included approvals by the Fish & Boat Commission. The flood is just beginning to be built. There will be a wall behind the sidewalk built up to about even with High Street and then will drop down at Lamb Street. The Bush House site is being filled in. It will be filled in completely behind the wall.

At Lamb Street there is a designed entry to the stream for kayakers. There is a series of ADA approved ramps.

The back wall is the wall for the flood wall that is beginning to be built. In some areas there will be a green space between the sidewalk and the front wall. There will be benches at various points also. The lighting will be in the wall. They are special lights. The lights are in the wall versus pole lights because pole lights are an obstruction during flooding. The lights will be approximately a foot off the sidewalk so it doesn't interfere with the fish at night.

The fencing will look like it does in Talleyrand Park.

Mr. Stewart has received all positive comments on this project. Mr. Halderman has done a tremendous job monitoring the project.

Mrs. Brown asked if something could be put along Water Street to show what the end result will be. Mr. Stewart said it would cost \$1,000.00 to get a billboard or a 4' x 8' rendering but most of this work is supposed to be done by December.

There will be descriptive panels on the history of the site.

The Red Freight Building will be moved to Talleyrand Park.

## **NEW BUSINESS**

- Council would like to consider an ordinance regulating drones. Mr. Stewart provided information in the Council packet regarding this. There was an incident where a drone was seen flying around the Courthouse. Mr. Stewart will review ordinances to see what the Borough can do.

- Mayor Wilson reminded residents that the November 3 election is coming up and people need to research who they will be voting for. You can go to [www.cnet1.org](http://www.cnet1.org) under the League of Women voters to view forums that have been held.

- Mayor Wilson would like Council to review the Centre County Economic Development Partnership and discuss the benefits that could be derived from joining that organization.

- Mr. Halderman reminded residents that Trick-or-Treat will be observed Thursday, October 29, from 6:00 p.m. – 8:00 p.m. If residents want to participate in this please turn your porch light on.

## **PUBLIC COMMENTS**

- Joanne Tosti-Vasey suggested having the slide show on the Waterfront Development Project added to the Borough website.

- Ms. Smith requested that Council reach out to faculty at Penn State University who might have expertise on the fluoridation of public water for the work session and public hearing. She brought Mr. Spicer information from the Water Authority meeting that she provided.

- Tim Smith, 113 Kathryn Drive, Bellefonte, expressed his appreciation for the scheduling of a work session and public meeting regarding the fluoridation. He is a former science teacher. He provided information on various sources regarding fluoridation. He urged Council to explore the facts. He recommended a booklet from the American Dental Association called Fluoridation Facts. He requested that the Authority make a distinction in dosage.

- Beth Fornicola, 416 West High Street, thanked Council for approving the fountain in memory of her husband.

She asked if there was anything in the paper regarding the fluoride. She said the postcard that came out was very abrupt. She felt it was almost rude. Mr. Stewart said anything sent out had to be approved by DEP. The whole paragraph had to be approved by DEP. DEP said pick a date and then they said it cannot be taken out until DEP gives approval to take it out.

She wants Council to remember the people that have lived here for over fifty years. There are things those people need for their families. She asks Council to fight for those things and not just grants to build tourism. She was ashamed of Council regarding the CATA bus issue, although she only knows what the paper reported.

### **ADJOURNMENT**

- With no other business to come before Council, Mrs. Dunne made a motion to adjourn the regular meeting of October 19, 2015, at 9:00 p.m. Mr. DeCusati seconded the motion. A voice vote was unanimous.