

**SPECIAL COUNCIL MEETING  
NOVEMBER 11, 2013  
[www.bellefonte.net](http://www.bellefonte.net)**

**CALL TO ORDER**

The special 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: Wilson, Dainty, Brown, Schneider, Provan, Beigle, DeCusati, Dunne, Halderman,

Members Excused: Ramish, Li

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

Staff Present:

Guests: Listed on Attached Sheet

**Special Meeting for Certificate of Appropriateness Regarding the Garman/DoDe**

- Tom Schrack, Bellefonte Legal Council, stated the purpose of the special meeting is for Council to decide on the Certificate of Appropriateness for the demolition of the Garman Theatre Property as requested by Progress Development Group LLC. The application for demolition was considered by HARB a few weeks ago and HARB voted to recommend to Council that a Certificate of Appropriateness be issued on the application. Borough Council is now required under ordinance to either approve or deny the application taking into account the recommendation of HARB.

There will be opportunity for the public to speak at this meeting but the following procedures must be followed:

- 1) Anyone wishing to speak must be recognized by the president.
- 2) Each speaker must take the microphone and state their name, address, and municipality.
- 3) The general rule is each speaker will be given three minutes to speak.

4) Each speaker should exercise discretion in making remarks about other individuals. It is expected that everyone be civil in the meeting.

5) Each speaker must exercise good sense in judgment in making comments and must remain civilized in discussion of the matter and comments must relate to the official business before Council at this meeting, which is consideration of the Certificate of Appropriateness for the demolition of the Garman Theatre.

6) Any comments that are redundant or irrelevant will not be considered by Council. Disruptive or aggressive behavior by any member of the public will result in that individual's removal from the building by Borough Police.

Mr. Halderman stated the public must speak during the Public Comments time. There will be no audience comments during Council discussion.

### **ORAL COMMENTS**

- R. Bruce Manchester, 124 West High Street, Bellefonte - He represents the BHCA. He was the Borough Solicitor for ten years and was also the Zoning Hearing Officer for a period of time so he knows what is important. Through reliable sources he learned in an Executive Session of Council last Monday through the Council of the solicitor they were told if they don't vote for the demolition of the Garman that they would be exposing themselves to personal liability. He feels that should have been added to...anybody on any day of the week can be sued. That doesn't mean you are going to get to the point where you are going to get a judgment. You must have a reason to be in court and prove your case with evidence in front of a jury of peers or a judge trial. He doesn't mean to be critical of Mr. Schrack. He feels Mr. Schrack didn't tell Council that even though they can be sued they are covered by E&O Insurance, Director's Liability Insurance. Per claim Council members are protected to the extent of \$1 million with a \$5,000 deductible. The E&O care through the Hartman Agency would provide Council to represent Council members.

Mr. Manchester feels many of the Council members should reclude themselves from a vote because they have a personal interest at stake. That interest is that they support the Garman either financially, morally, or through signed petitions.

Mr. Manchester stated the law states in order to have a conflict of interest under the Pennsylvania Criminal Statute you must have a monetary gain for yourself to have the conflict.

- Jonathan Ebern, Linn Street; Adelaide Ebern, Linn Street - He stated this is a chance for Bellefonte and Borough Council to do something wonderful for the future. He encourages Council to take a positive step forward. He feels both housing and an art center can be done in Bellefonte. He believes everyone in the building and some that aren't there care about the town and want to help it. He feels there is a possibility to make it all work. He wanted his daughter to speak about the future because it is not just for grownups but for children as well. He feels saving the Garman and preserving it and restoring is something everyone would like to see. It is a valued step for the future.

Adelaide Ebern read something she wrote titled "Please Help Save the Garman". She feels the Garman would be good for Bellefonte.

- Roger Herman, Curtin Street - He has been a resident for forty years. He was a Council member from 1976 - 1980. All his colleagues on Council have passed away. He feels it would be terrible not to save the facade of the current structure. It would be a hideous thing to have happen to Bellefonte. He's not sure museums and art centers are the right thing. There was a wonderful restaurant beneath the Garman that never got any support from anyone. He thinks that Mr. Kervandjian's proposal is a good one except there is some money standing in the way. It would cost too much for him to rescue the facade and make a project. He feels this is where Bellefonte has to somehow get in there and put their money where their mouth is. He stated they pride themselves on being a resourceful Victorian community but there have been many, many cases of failure there. One was the failure to preserve the wonderful, original Tiffany style windows in the former Lutheran church. They just vanished and Council did nothing. The great gap in beauty down at the water facility with the ugly cover that doesn't ever get covered. It has been there ten years and there have been proposals on how to mollify that and nothing. Somehow he thinks what has to happen in January in the setup of new committees is that there should be a Historic Preservation Committee in Borough Council with a budget. He feels it doesn't have to be huge. He lives on Curtin Street and back of him is Ardell Alley that has been paved a few times. He would rather that still be a dirt road and save this structure. He feels it makes no sense to just be a borough of streets.

- Art Curtze, Heide Lane, Port Matilda - It is more like State College. He comes here a lot and wants to say he brought his "Save the Garman" shirt but is not putting it on because it is about a whole lot more than savings the Garman. This is about saving Bellefonte. He has gotten so tired of coming up here and seeing all this beautiful architecture being not visited enough because there is a lack of vision. People come from miles around to see this and then there is nothing to do. The Garman is needed because it will give something really vibrant and exciting for people to do and hope for the children, activities for them to do and get involved in. He even thinks when you look at the beautiful Courthouse Annex Building that was restored on the corner, the architecture that was repeated very elegantly by the Hotel Do-De's roofline up to the Garman. If you Google Bellefonte the first thing you see is a picture of all this and there is no way any of that should be torn down. We need to back off, give all sides some time to find some better solutions, give Ari Kervandjian a chance to do something elegant with the Cadillac building and find some other properties to make his vision work and at the same time find some visionaries to make the old Garman/Do-De area work and maybe have a nice tavern down where Schnitzel's used to be and maybe more people will come this time around and maybe an elegant restaurant in the Do-De with a beautiful Victorian porch like it once had originally and upscale apartments upstairs and maybe a penthouse in the roof. You just need a few months to not tear the buildings down and give people time to make some sense out of all of this.

- Monteca Confer, 668 North Harrison Road - Her family owns Confer's Jewelers and CO2, which are located a couple hundred feet from the Garman Opera House. They want to save the Garman because it is a historical building but we have to

remember that this is history right now. In twenty years looking back we are making history now. She wants to be able to tell her daughter that they did everything they could as a community and that we are going to have a place for her to go. She also would like to address that everyone keeps saying that putting apartment buildings is good for the economics of Bellefonte. She has had a computer since 1999 and she ran some reports on any apartment in North and South Allegheny Street and any apartment in East and West High Street. We have 20,862 names and addresses of customers. There have been twelve customers from North and South Allegheny Street apartments and East and High Street apartments shop at their store. There is a very comprehensive program. Those twelve customers have spent \$1,265.00. They are thankful for that but out of 20,862 customers that is not very many. That is not bringing economic help for Confer's. What does bring effect is a bed & breakfast. When people come to visit Bellefonte they come to the store and buy Pandora, they buy the Bellefonte Courthouse charm, they shop for their anniversary, their special celebrations. People come for Victorian Christmas and shop at the store. If there was something where the Garman was that would draw people into town that would shop at the stores that would be a real blessing. She has a list that twenty-two merchants signed that want to save the Garman and that is all the merchants in town.

- Travis DeCastro, 129 Buttercup Way, Benner Township - He has been in theatre for a very long time. He is 59 years old and has been in the theatre for 45 years. He wanted to tell about his experience with Pittsburgh. He first visited Pittsburgh when he was a young professional in theatre and it was a dirty town. They went to Heinz Hall and all discussed how terrible the town was. They all discussed how they couldn't wait to get out of that town and go somewhere else because it was dirty and there wasn't much going on downtown. He had a very successful career and was able to visit it a few years later with Cats. They played the Benedum Center after it had been renovated. Eleven square blocks had been renovated in downtown Pittsburgh. That eleven square blocks made a huge difference. In that eleven square blocks that had generated \$33 million in public investments; \$66 million in private investments. They brought in \$115 million dollars in income from the businesses in that area and the mayor at that time said there were more people attending the arts than were attending any of the three sports franchises. He understands what the value of the arts does. He wanted to speak about what the Garman could do as a start. When he looks at Bellefonte...he loves coming to Bellefonte. He comes there often even though he's not sure why because there's not much to do in terms of shopping. There are a few places to eat. He feels there could be more so the Garman is just a stop along the path. The Garman is the beginning and not the end. The area that stretches from Spring Creek up to High Street up to the Garman Theatre and beyond to the two sides on Allegheny Street could be truly wonderful but it's an investment long term. Just like Pittsburgh did when they increased their tax revenues three times in ten years. It can happen here but it takes vision. It takes an effort. It takes an understanding of what the arts and the arts community can bring to a community. The theatre, the applied arts, the performing arts, the visual arts...all those are ripe in this town right now to create a new beginning for what is here for the future.

- John McCarthy, 260 Bird Lane, Zion - He is not a resident of Bellefonte but he has taken a very strong interest in Bellefonte for the last seventeen years that he has been in Zion. He pays his property taxes to Bellefonte schools. He is very proud to be among those who early called attention to the travesty of razing the Garman. He wrote a letter to the CDT early and he said the appalling lack of leadership by Bellefonte's elected and appointed officials in their allowing the razing of the historic Garman theatre. He calls attention to that previous lack of leadership. Fortunately, however, the sequence of events that have gotten everyone to this meeting tonight have now provided the elected leaders of Bellefonte to demonstrate a vision for its long-term development. He very much hopes they would take that opportunity to do so. He still finds it hard to understand how Bellefonte's leaders could allow the Garman to be destroyed, ruining the architectural landscape of the center of town. Several options could have been long ago considered that might have resulted in the comprehensive planning for preserving Bellefonte's architectural heritage including importantly the Garman. Notice how much money the BHCA has been able to raise in such a short period of time from private sources. That kind of public support can easily be leveraged with state and national funds to create a much broader vision for the development of the historic preservation in downtown Bellefonte. The leaders have the power to halt the destruction of the Garman. He encouraged them to buckle down, get to work and respond to the incredible outpouring of community sentiment that is shown tonight in generating a vision for Bellefonte's future and hopefully maintaining the integrity of the marketing claims about historic Bellefonte.

He wanted to conclude with a few words about workforce housing. A balanced discretion which in his view has been conspicuously absent from the debate about the Garman. Isn't workforce housing low cost housing? How much low cost housing does Bellefonte have and does it need anymore? If so does the Borough have a comprehensive plan about where to locate such housing or is location determined only by the width of the developer's plans and the availability of external resources for funding? Locating low-cost housing in the heart of Historic Bellefonte seems to be totally misguided. Workforce housing for the Garman seems to him to be a false choice. Leaders with a vision about Bellefonte's future should be asking these questions. Doing so would help the Garman decision in a much needed broader context of Bellefonte's long-term future.

- Ross Pifer, 217 West Linn Street - He has not lived in Bellefonte long but he moved here because of the history. Bellefonte has history that few towns in Pennsylvania have. As he has been following this somewhat from the distance he noticed two major themes. One is that the BHCA's plan has no chance of success and the second is that the developer's plan has no chance of failure. He thinks both may be true but he thinks it's likely that there is a possibility of failure in either option. What happens if there is a failure with either option? If BHCA fails in one year or two years or five years there will be another opportunity for a developer with a building that has had work done on it. What happens if the developer's plan fails? Well, we've destroyed the building and we can't bring back that history. He urges Council to think about the long-term consequences. If the building is destroyed you can't go back and undo. What he's read in the newspaper about the facade possibly staying but that it being too expensive

highlights the fact that there is a narrow financial margin in projects like this. As a final note, and said with all due respect, if anyone is thinking about litigation as a reason for casting a vote in this or any other action they need to resign because you have an obligation to represent the citizens. That is why they are elected. You check the insurance to see if you are covered, but every action taken or failed to be taken opens them up for potential litigation from at least two sides. That should be completely off the table.

- Christopher Jacobsen, 254 North Allegheny Street - He has lived there for the past decade. Last year he watched with growing dismay the Borough government's action and inaction in regards to the Garman Theatre and the historic Courthouse square. Many people more informed and more articulate than him have persuasively made the case for the preservation of the Garman and the support of the proposed regional arts center would have a far greater benefit for the future economic liability of Bellefonte than any housing project. Many people more informed and articulate than him have persuasively made the argument that there is no necessity whatsoever for the destruction of the Garman. That supposed necessity, with all due respect, is the invention of the developer's budget and not any outside reality. He leaves those arguments for others. He wanted to propose two questions. First, how is it that the Borough can so prominently and so proudly post on its website its commitment to the ideas and ideals of Historic Preservation if when faced with the actual task of preserving what is arguably the most important streetscape in this Borough it throws up its hands and says we can't do this. It will cost money. It will take time. It involves risk. Did the Borough not understand that real historic preservation almost always involves these things, which is why so much gets tossed in the trash heap? Second, how is it the Borough can so prominently and so proudly recount on its website its efforts to get the center of the town declared a Historic District without seeming to understand that the honor of historic district designation comes with an obligation to do everything in the Borough's power to preserve and (quoted from the Borough website) "unique history and collection of historically significant building; the heritage expressed in wood iron and stone; the resource that no other Centre County municipality has and perhaps no other municipality in Pennsylvania". Are the ideas, ideals, principals, commitments expressed so publicly by the Borough government mere lip service? He hopes not. He hopes they are the main guides of tonight's vote and for every vote involving this historic town. If the Council tonight votes to destroy the Garman, to toss aside its great potential, in exchange for a housing project it's his belief and he thinks history will agree with him, that the Council will be selling an essential and an irreverable portion of its birthright for an ultimately insignificant mess of pottage. He strongly hopes that this does not happen.

- Nancy Brassington, Reynolds Avenue - She has lived there over thirty years. She is an artist, but that is not why she is speaking tonight. The arts are important, yes, and there has been lots of support for that, but she wanted to remind Council that this is a community arts & cultural center and that many different types of meetings or organizations can take place and that will bring people to Bellefonte to shop and then

there can be more shops and more restaurants and more people and not just for the arts but the cultural arts and community.

- Lauren Shutika, 612 North Spring Street - She has been attending these meetings for a long time and gets all emotional. She grew up in this town and asked people to come visit this town because she is so proud of this town and living here. She is tired of people talking about the money. It's not about money. It's about acting with your heart. It's a good little town for people her age, her children, the students she teaches about money and the struggle that causes. Please think tonight with your hearts when you make the decision.

- Sally Houser - She has been in front of Council many times, but this evening she comes with mixed emotions. She has come off a weekend of a high regarding her granddaughter, who couldn't be here but she asked Sally to tell them something. Her debut in the arts started in the Garman Theatre. She was Annie and she loved every minute of it and that was the beginning of wanting to be on the stage and wanting to be on the arts. Sally brought the message from her since she couldn't be there. Sally now wanted to speak from her heart. She has spent the last five years trying to bring people to town for a wonderful event, Bellefonte Victorian Christmas. Her children have participated and now her grandchildren participate. She spent a great deal of time and energy in getting money and grants to market the event and bring people here from all over the East coast, which has been done. Every Victorian weekend there is between 8,000 - 10,000 people for the past five years. Her committee is an awesome committee. She loves the event and she loves the town. She would really hate to see the demolition. She thinks everyone loves the community and she wants to see the Garman stay. She feels they are visionary people and they can see what can happen. They have done research and talked to people that have done this in other areas. We need economic development in the downtown more than the demolition of the Garman. We need to save this building.

- Joann Tosti-Vasey, 429 North Spring Street - She has lived here since June 30, 1992. She is known as a civil rights activist. When she hears individuals say that members of the BHCA hate workforce housing that is a personal attack on her. She has supported workforce housing, low income housing, Access for people no matter what income, no matter what color, no matter what job they hold or whether they are on any. That hurts. When she bought her house on June 30, 1992 two years later the realtor that she worked with came back to her and said when you said you wanted to buy that house on North Spring Street I couldn't see what it was you saw behind the plastic walls. You had a vision. BHCA has a vision. Please do not tear down the Garman.

- Melady Kehm, a member of BHCA and also a PI. She has lived here for more than thirty years and most recently twenty some years at 384 East Howard Street, which is the gatehouse to the Bellefonte cemetery. She wanted to talk about something very specific about the HARB. Many in BHCA lived in or have worked in or have worked on homes and building structures that have had to go before HARB. They have

had HARB situations where very minor, minor things have been dissected at great length and where people had to go back and change the color of something or the type of fence they were using so that when they hear that HARB has approved the demolition of an important structure such as the Garman Opera House, which she believes is the most important streetscape of town...to just tear the building down when it can be resuscitated and when it can actually be put back into service it is heartbreaking and very, very...it makes them wonder about all those times when they have gone the extra mile to keep their building and their structures toe the line for the HARB board and there have been some really, really good HARB boards in the past. Also what she is hearing is a lot of support for savings the Garman. She is wondering if there is a way to have the Garman be restored and also have housing for people who are in workforce situations. She wonders with all the talent on the Borough - the Borough Administration or Council - with the talent that the developer has and with the talent in BHCA. One of the amazing things is people do accept them. They have three fundraisers. They have three people who have done professional contracting in their lives for many, many years. They feel there is a lot that can be done. Maybe the time has come to at least give a little more time...maybe bring all these people together...all of this talent together and find a solution and not just type of win-win. She wants town to be coming together. She wants the talents to be coming together and finding a solution for saving the Garman and maybe even involve the County so the decision isn't made that they are going to be razed. Someone said once it is done it is done. It can't be brought back. BHCA can work on it...they have a plan that has been given to Council. It may need some tweaking here and there but she thinks they can all...if they could just sit down and talk about it she thinks they could find some solutions.

-Sarah Travis, 334 Blanchard Street - (tape turned here)...came to visit them for a picture of Town & Gown and she saw a picture of College and Allen Street so she thought she was coming to live in a town with history and architecture and she was so disappointed when she landed in downtown State College. Her son was born in 2000 and when he was five months old they brought him to the YMCA for swimming lessons. Her husband and her knew they had found their home. The next summer they moved to Bellefonte. Since then she has seen building after building destroyed and abandoned by fire. She has seen businesses come and fail and close down on High Street. She used to go to the Garman Theatre, especially to see particular movies that came out, because she wanted to see them in the ambience of that theatre. There is a need in Centre County for workforce housing. There's a sore need for it but her question is what is that small amount of housing in Bellefonte town center going to do for the Bellefonte community as well as the Centre County community as a hope. There is a choice. There is an option for vision in Bellefonte. With the oncoming of a possible art center for the region there is the opportunity to enliven, bring vision, and possibly more employers as well as employment opportunities to the people of Bellefonte and our community. Please give them some chance for vision and reaching the nation in Bellefonte. It's getting pretty sad out there. We need something.

- Karen Arnold, lives one street outside Bellefonte and she is the concert chair for the Victorian Concerts and she is a music director in Bellefonte. She is on the far, far



side of forty. When she bought her house it was the usual 35-year mortgage and she remembers sitting there thinking that as much as she wanted a house and never got around to it and was paying rent and paying rent she could have paid for her house in what she put in rent. It was hard to focus on the future and say am I even going to be here in thirty-five years. There is a wonderful video but it is a theatre in Millville, NJ. It is nuts and bolts exactly what she assumes have been going through a lot of minds about is this possible? The movers and shakers in that case were a broadcasting station and was at that time mayor of the town. The other individual was a lawyer and his daughter who she was in the theatre and they kind of legalized that. Without going into great detail these folks had problems that anything with the Garman pales by comparison and they overcame all of them. They started in 2007 and it opened last year...Broadway quality type programs and equipment. If you could see what it looked like before they started it was just unbelievable that it survived at all. She is asking them to think about...maybe not this group of people...if the Garman is salvaged and its turned into not just a refurbished theatre but the larger goal is having an arts center and an arts community where other folks around there will put in art related businesses. When Mr. DeCastro offered his advice and he would continue to offer his advice for the Garman...what he is referring to is it's not just a building but you build out from there in an entire arts system. One thing that was in film that struck her more than anything else was the mayor describing how it started. He said it started with a couple of grants and then they had one person give a big contribution and then one of the guys said do you really think this will work? Do you think this possibly will work in this little mill town where they made glass and they were bent down in terms of economics. He said yea, the guy...one person invested a million in a restaurant, which is now a very successful restaurant. Two other folks invested there and this was before the theatre had even been restored. What he said was you have public money and you have private money following it and that's what we need. She thinks what needs to be looked at in this situation is the future and take that risk. It's like any other dream...it's always going to be a little beyond your grasp but we're thinking of it.

- Catherine Manchester Foreman - Her grandfather would not be happy with her if she didn't say something. She grew up in Bellefonte, went to State College for college and then came back. In the fifteen years she watched the town deteriorate and it makes her sad because she watched her grandfather and her family fight for it. She doesn't think workforce housing is the way to go. She thinks that it will make it a little bit worse. She thinks if you give the Garman their vision and collect everybody's vision it could come back. She does not miss the...what her family fought for.

- Joy Sciabica, 722 East Curtin Street - She has an undergraduate degree in visual arts and a graduate degree in architecture. Her husband was raised on the Courthouse Square at 119 East High Street. She has been visiting Bellefonte for about 35 years. She and her husband have owned their home on Curtin Street for eleven years. During those years they also lived in New York City and just recently moved her full time. She wanted to speak about the symbolism of the town square. She stated it is a place that a symbolism of justice. It's a greater vision or greater sense of being than just about a building in bricks and mortar. It's about history of the town and the county.

That is a place that has a greater sense of being than in a different site. She also wants to bring perspective of diversity. They lived in New York City. She believes in diversity and in a mixed use community where there is people from various socio-economic and ethnic backgrounds living together in harmony, which she thinks can be done. There are other sites in town where workforce housing could also be created such as the site where the Academy Building burned down. She thinks this decision is not only vibericated by the board's decision. It's broader and it requires a broader vision. There are many options and many opportunities. This is a moment of opportunity for this community. There is a moment to mobilize with great wonderful talent and enthusiasm of the people in this town to expand, preserve and grow and revitalize this most distinguished town.

- Barry Kroeker, 173 Creekside Drive, State College - Encountered Bellefonte for the first time in August of 1985 when he drove up on a moving truck to discover that the developer hadn't finished his apartment so they couldn't move in. His first couple weeks in Central Pennsylvania was trying to get his rent deposit back so beware of developers making promises. They had a good time in Bellefonte when he was younger. He loves Bellefonte. It's a beautiful community. He's been in Houserville for quite a while and would like to move back. He's very interested to see what is decided tonight. He feels it is really a watershed moment for Bellefonte. His advice is beware of developers making promises and if you rebuild it they will come.

- Merrie Margaret Whitehill, 305 Weaver Hill Road, Bellefonte - She did not plan to speak but she has been moved to share a little bit. In the late 60's with friends she was driven through Bellefonte. At the time she lived in a small community called Bellefonte in Kentucky. She commented at that time what a beautiful town. I would love to live here someday. Never imagining that was what the Lord had in store for her. In the 70's she met her husband who was born and raised in Bellefonte and within three short months she married him. He regaled her with stories of family from the State Theatre down to the Plaza Theatre and spending all day on Saturday's back and forth to the cowboy movies and the popcorn and stopping in at the barber shop. He loves Bellefonte and she has grown to love Bellefonte also. She has two sons that graduated from Bellefonte High School and now she is helping to raise a granddaughter who is attending dance lessons at the Kennedy Dance Studio. She wants to remind everyone that there is only one chance to make a good first impression. Bellefonte's art and architecture made a wonderful first impression on her in the 60's and her life has been enhanced from all the wonderful things that the Bellefonte community has provided to her and her family since then. Recently when she was in town she noticed three bus loads of visitors across from the YMCA. All those people were walking around town. They were here to shop and to appreciate the art and architecture - the historical aspects of our beautiful Victorian community. She thinks those things are worth preserving. That's what draws the visitors and the customers to the community. It hurts her to see the beauty of this town being damaged. When the art and architecture in the area such as the Garman is - when it's gone it's gone forever. It's not going to be here anymore for our children and she asked Council to please continue to make a good first impression with Bellefonte and preserve this wonderful heritage that we have.

- Jeff Johnson, 170 East Linn Street, Bellefonte - He is not from Bellefonte. He never even knew Bellefonte until 2001. He is originally from West Chester, Pennsylvania. West Chester, like Bellefonte, is the County seat. Similar to Bellefonte it went through difficult times. The walls caved in and small mom & pop shops closed and empty storefronts. You go through there today it's a booming town with restaurants, shops, mom & pop shops, novelty shops. You go there any night of the week and there's now so much traffic they had to build a parking garage to be able to accommodate all that traffic in that town. The people in that town had a vision of what West Chester can be. He and his wife made the decision when they were living in Philadelphia to move to Bellefonte. They made the decision to buy an old historic property because they had a vision and a desire to maintain that property and continue its restoration similar to what its previous owners had done. The neighbors across the street bought a house in sheriff sale. He's a private contractor. He originally intended to develop that house, flip it and sell it to someone. Instead he and his wife liked Bellefonte so much they decided to move here from State College. The neighbors down the street from him bought a house at auction. It was in total disrepair. It was a mess. They bought it at an auction and spent tens of thousands dollars to restore it and bring it to the present status it is today. At the corner of Allegheny Street and Curtin Street in Bellefonte there's a beautiful home that is apartment buildings. He was there the next day after it was destroyed by fire. He thought that building was gone forever. He did not believe that anybody could do anything to bring that building back because the fire was so devastating. The people that own it now converted it back to a private residence. They had a vision to see what it could again be. On Linn Street just up the street from them is a house currently occupied by the Borough Manager Mr. Stewart. Since he has been coming to this town that house has burnt twice to the extent that he didn't think it could ever be lived in again. He thought it would have to be raised. Sure enough an individual, Mr. Stewart, believed that the building could once again be restored to a home and he made a decision to invest in it. It is what it is today, a beautiful historic residence. Up and down his street and on many other streets in Bellefonte he sees people going to great length and great expense to maintain and restore the history that is in town. That history and the heritage of this town is in part why he chose to live here. It is extremely upsetting to think...to know what could happen to the Garman. He believes it still has the potential to be restored. His fear is if a decision is made to get it developed that the opportunity will be forever lost. He hopes those making the decision tonight will consider that vision and the same vision many have in the town today for the future of Bellefonte.

- Bob Dannaker - He and his wife are custodians of an 1830 house at 203 East Howard Street. He didn't plan to speak but just recently had a conversation and it made him understand this is not about the Garman. This is about three properties. Without the Garman and that mix of the properties those two other properties may not be developed. It is not known. Right now the proposed developer has this kind of ax hanging over heads that if he doesn't get the Garman he doesn't do it. We have two other empty spots. He doesn't think the ax hanging over the head should really determine what is done. The Garman is there and it's possible to redevelop it into

something that is going to make the town shine and sing and he thinks Council should not consider the ax hanging over their heads.

- Gary Hoover, 136 Burnside Street, Bellefonte - He has been a resident of Bellefonte since 1999. He first started coming to Bellefonte in 1983 when he first got a job here. For eleven years he worked in Harrisburg and would not move. He was born in Williamsport but he chose to live in Bellefonte. He commuted to Harrisburg every single day because he wouldn't leave Bellefonte. Before he took his present job he had a 25 year career in workforce development. One of the things he can tell people is an important support for workforce is having jobs. They can live anywhere. We are in Central Pennsylvania. People are used to commute but you have to have jobs. So you ask what is going to do more for Bellefonte - a community center, a multi-use facility, historic buildings that contribute to tourism, things that will support the business community downtown and generate jobs. Therefore he asks Council to consider that the great benefit and economic impact of supporting small businesses by preserving the Garman. He also was involved in the Alliance for Bellefonte Community Development and for several years, even before anyone started on the Garman ABCD tried numerous times to get some activity generated with that building. Because the main leaf holder would not talk to anybody there was nothing that could be done. ABCD paid for ads to try to find someone interested in building so it's not true that interest in the Garman is very recent activity. He thanked Council for having this meeting because it shows they believe in representative government and what the people think. When he walks around town he sees lots of signs that say save the Garman. He doesn't see any signs that say tear the Garman down. Monica Confer presented a petition of 22 businesses in the downtown so it's very clear what the business community thinks. BHCA has a petition that has over 600 names of Bellefonte residents on it in favor of preserving the Garman and 1,100 names of other citizens. I'm not aware of anything comparable that says tear the Garman down. It's taken a while for public opinion to come around this issue that has gotten stronger and stronger and stronger in support of preserving the Garman as a plea to our local elected officials to represent the people in saving that building. Tonight you can take the first step in doing that by keeping it from being torn down and encouraging things to move forward for the good of our community. Lest there be any doubt if you are here tonight advocating saving the Garman please stand up. Thank you very much.

- Keith Koch, 110 Forge Road - Welcome to my neighborhood. I am the president of BHCA. I lived in Washington, DC for 62 years of my life so I wanted to retire. My wife always wanted to move to the last place we ever visited but one day my daughter and son-in-law moved to Bellefonte. My first question was Bellefonte, where is Bellefonte? Never heard of the place. I got interested in this town. As many of you know I've written a monthly article on the history of this town for over 5 1/2 years. It has encouraged me to look at the history of this town. I bought a home that was on a sheriff's sale, dismiled and destroyed when a fellow came and restored it. Little did I know I was buying an 1803 home here on Forge Road that belonged to the owner of Bellefonte, John Dunlop. He gave part of this land to his father and brother-in-law who developed the town of Bellefonte. My home is old but I'm 50 yards from the Borough

lines so therefore it never counts in the history of this town. I agreed with your Council after the fire that you should not put a roof on the building. I agreed because at that time the building was privately owned. You shouldn't use tax payers money for privately owned property. Once the Borough got control of it and once the IDA got control of it as the Conservator it should have been preserved and still be preserved. We've been to Court. There have been three people testify in the Courthouse. One engineer did not belong to us but said it could be rehabilitated; that it's structurally sound; it shouldn't be destroyed. Our engineer said the same thing - put a roof on it and it will be fine. Another person who worked on that Garman since 2005 and built some of those rooms said the same thing. As a historic building in a historic district that had a covenant to it, it should be completed. At the moment you have a guarantee that it will be destroyed in February and that grass will be planted in March. That's the only signature of guarantee you have. We as BHCA have tried to do a fantastic job of presenting materials and getting people involved and you see that. I do want to correct two things of Gary before I sit down. Gary we have over 1,700 signatures for saving the Garman and we have just over 700 signatures belonging to the Bellefonte area address. Think carefully. It won't be your money put in. We're putting our money in it and we understand that two of our elected officials have made \$5 million available to the downtown area of Bellefonte or whoever has the Garman deed and I don't see why we can't tap into that bank.

- Nancy Noll, East Linn Street, Bellefonte - Her name was not on the list of businesses but she is a business in the residential neighborhood having a Bed & Breakfast. She wants to thank Council as community volunteers for the patience they have shown everyone tonight. She also wants to acknowledge the fact that she took some time to drive over to State College take a look at Kleinbach Terrace and she wanted to publicly want Ari to know that you could open that property in her neighborhood if she didn't live in the Historic District. It's very attractive and she did not find it offensive at all but this is a Historic District where the Garman is located and it needs to continue to be historic. It is what is the bread and butter of her business. She told a story about some of the people that visit and stay at her B&B. Michigan State game weekend she had a very wealthy couple stay with her that were major Penn State donors. They left the game at halftime because they wanted to spend time in downtown Bellefonte before it got busy. She didn't tell them they had plenty of time. She just left it go. They visited every shop in downtown Bellefonte and at about 6:00 they came bouncing back to the B&B to prepare for dinner with red wax lips that they had gotten in the toy store. They had the time of their lives in Bellefonte. They will spend every football game in the future not at the Nittany Lion Inn as they have done for the last 23 years but in Bellefonte because it was so beautiful and such a wonderful experience for him. The Tuesday night before that she had a full house, which means three groups. Those three guests...one of the rooms stayed for two nights. They stayed in Bellefonte and we talk a great deal about this because of the little Garman signs all over her dining room table and a wooden house image of the Garman so everybody that goes to her house is forced to talk about the Garman whether they like it or not. They stayed in Bellefonte because Bellefonte is what it is. They didn't stay in Bellefonte because she's the Queen. It was about Bellefonte and in the short stay they had with her those three

couples spent more money than that survey in Confer's showed being spent by people living in the neighborhood of the Garman. The Garman is the future of economic development in Bellefonte. Please save the Garman.

- David Kurtz - He lives in State College but has been visiting Bellefonte regularly since 1963 in the development of the Sunnyside paddling department. He wanted to mention two things that hadn't been mentioned at this point. The first is do you all know that the acoustics of the Garman Theatre are better than any building in Centre County? The second thing is he had his 75th birthday celebration in the Garman Restaurant and he is putting his reservations now for his 85th birthday.

- Jack Lafond - The first executive director of the State Theatre in State College and through the restoration project had that place open and forming a non-profit organization to operate it. That was strategic planning on how to operate; what kind of programming might be appropriate; what kind of community might be served by the programming that was there. He said they did a lot of research on this in the surrounding areas and at the time the Garman was still open. He addressed a couple of issues that relate to what is being thought. 1) The building is on the National Register of Historic Places and it is somewhat of a conflict of interest to tear down a building that is structurally sound using federal dollars. 2) A lot of people used the example that the State Theatre has had some struggles, which it has, and bringing in an organization of that importance or that programmatic importance always goes through birthing pains. You don't have all the answers immediately. If it were to be a non-profit organization, unlike the Garman was run before, you can no longer use that argument of the way it was before showing movies and holding movies. A for-profit organization is a benchmark for how it could operate in the future. A non-profit organization is allowed to raise money in a lot of different ways that are not available to for-profit organizations. When he spoke to a state Historic Preservation Officer in Harrisburg about the Garman the state Historic Preservation Officer was very interested in this project, was familiar with it and certainly knew about the State Theatre project. The size of the Garman theatre is important. An art center would certainly make some sense to lead with the programming. Showing movies is not going to make a lot of work. There needs to be lots of other programmatic issues, programs that will serve the community. For people with handicaps, children, seniors, families...all of that. They also own a bed & breakfast on Linn Street and he stated many visitors love Bellefonte and they always ask what's there to do? They hate to send people to State College but oftentimes that is what happens. They would like to have something that is a revitalization tool for downtown, something for people visiting them to do. They obviously would spend money downtown. They have a shop downtown next to the Bellefonte Wok for 2 1/2 years. They had some interest in downtown and observed a lot of things going on there that only would be positively impacted by the theatre. The theatre would generate activity in the evening. Families, more than one person coming on the weekends window shopping, dinner and a show...all kinds of things. The state Historic Preservation officer was very interested in this project based on the fact it had rooms upstairs that could be rented and a theatre that could be a non-profit. The restaurant next door could be for-profit. Both the rooms upstairs and the restaurant could be for-profit as a subset of the

whole operation and those two entities could pay taxes to the Borough. A lot of misconceptions and issues could still be resolved, but won't be resolved tonight. He thinks with the future and legacy Council should consider what this means. It's about the heart and soul of this town.

- Oral comments were closed and Mr. Schrack made a few comments. Mr. Halderman thanked everyone for coming. He has been on Council for a long time and this is the most people he has ever seen in a Council meeting. He congratulated everyone for participating tonight.

Mr. Schrack stated the developer will speak but Mr. Schrack read a letter that was given to him dated November 11 and it relates to the matter that was just discussed. It is a letter from the Pennsylvania Housing Finance Agency to Progress Development Group. Mr. Schrack read the letter for the record.

Dear Mr. Kervandjian,

The Pennsylvania Housing Finance Agency understands that you intend to resubmit an application for tax credits in several homes for the Bellefonte Muse Development. This proposal consists of the redevelopment of certain parcels in Bellefonte, two of which are the Hotel Do-De and Garman buildings. Based upon the information provided in your 2013 application as well as supplemental documentation provided to us covering your current status appears that you have taken the necessary steps to meet Section 106 Historic Clearance to proceed with the demolition of this building. As the source of the sponsored dollars derived from Federal Home Investments Partnership Program the agency is charged with completing a full environmental review. We will be reviewing the application for 2014 resources beginning March 2014 and should this development receive the word from the agency a full environmental review will be completed at that time. Please be advised that based upon the evidence provided to us the Section 106 requirements have been met and the demolition of the site prior to submission is allowable.

Polly Clouser  
Director of Development

Mr. Schrack stated it is clear that there is a common goal here and that is to put the Garman Theatre property back into use to get it out of its dilapidated, blighted unsafe condition. He stated much has been said on public record about the potential use of the property, the developer, and other matters concerning the Garman property and the Do-De property. There have been numerous meetings at which these issues have been discussed by the IDA, HARB and Borough Council. There also have been several court hearings involving the Garman Theatre.

Before the vote on the Certificate is considered by Council Mr. Schrack made a note about conflicts of interest, the three words that have come up tonight and seem to be getting a lot of interest. At times clearly public officials have a difficult job. At times public officials have to make decisions with little advance notice or time to reflect when perhaps a conflict may exist. Regardless, public officials are charged in making

decisions with acting impartially, without bias, and with the best interest of the municipality in mind and not private interests in mind. Mr. Schrack will remove any shroud of mystery that may exist concerning this HARB conflict of interest issue. The question arose as to whether giving or pledging financial support to an organization that may benefit from a decision against the developer constitutes a conflict of interest. Under the Pennsylvania Public Official Employee Ethics Act a conflict of interest is defined as use by public officials or public employees or the authority of his or her office or employment of any confidential information or someone holding public office for the private benefit of himself, herself, a member of his or her immediately family or a business with which he or she or a member of his or her immediate family is associated. Now in the case of HARB they also had bylaws which provided that a conflict of interest due to personal, social, or financial gain shall be declared and noted in the minutes and that member shall refrain from voting on the matter and remove themselves. HARB takes the conflict of interest concept further than what is provided under state law. With regard to the issue at hand is financial support to a non-profit organization a conflict of interest? It must be noted that under the case law a non-profit organization is considered a business for purposes of the definition of a conflict of interest. If you put a different spin on this let's assume that you invest funds in a project and the success of that project hinges upon your vote. Does that not give rise to the potential for bias in partiality in your vote and does it now also involve a private benefit? It's not always an easy call and often the lines can really be worked and that is why there is a state ethics commission that renders these decisions often because there isn't a clear cut answer a lot of the time. It's hard to argue when you're giving money to a cause that there's no (side two of tape one ends)... It's a potential litigation aspect. His job as an attorney and a solicitor to Borough Council is to advise his client of potential risks and if the client desires to undertake that risk that is the decision of the client. Mr. Manchester is certainly entitled to question his advice and Mr. Pifer is correct that litigation should not always be the determinative factor in taking action. Clearly it should not. It might be one factor but it's not the entire factor. As an attorney he shudders to think what would be the case, what would happen if he did not advise of the potential for being sued and they would be individually sued. He must advise of that.

What is known is there is a property owner that came to acquire the Garman Theatre property pursuing the statutory procedure which involves several court hearings. This property owner was approved by the IDA and was successful in the court proceedings in obtaining the property. If this developer is unable to develop the property due to an adverse decision then yes, it is very possible that the property owner could seek recourse through the judicial system. That happens all the time. It's not always the case that immunity exists for public officials. It may or it may not. He cannot advise for certain. Although this was the type of advice given in Executive Session it has clearly been put on the public record and for that Mr. Schrack is sorry. Since it is out there it needs to be discussed on the record.

Despite the potential for litigation, and it's a shame that everyone is focusing solely on this, there is a process under the Borough ordinance for the review of these applications and HARB...Bellefonte Borough has a reviewing entity that is responsible for reviewing these applications and rendering advice and its decision to Borough Council on whether or not a permit should be issued. HARB took into account its



consultant's advice at the meeting and rendered its decision to recommend to Borough Council that a Certificate of Appropriateness be issued for a demolition permit. At this point the meeting has been scheduled. There is a special meeting and it is up to Council to make the determination on whether to issue the Certificate of Appropriateness.

Mr. Beigle made a motion to issue a Certificate of Appropriateness for demolition of the properties at 110 East High Street and 116 East High Street. Mr. Stewart stated for clarification there are two addresses and it does involve both the Do-De and the Garman buildings. Ms. Dainty seconded the motion. Mr. Provan stated since he is about to invoke on a vote that may bring a potential lawsuit to him he would like to have an update on the Ari Kervandjian project for Progress Development Group, which he would like clarified as well. Mr. Provan would like to know what the plan is and what workforce housing is and isn't.

Ari stated things are moving forward with plans as stated several months ago for initial application 2013. For tax credits in order for them to redevelop these parcels of property, the Cadillac, the Garman Theatre as well as the Do-De building...not only a workforce housing project but also there is a commercial component to it. The entire floor portion of the Garman House is going to have commercial space available, approximately 6,000 square feet, which is going to hopefully induce all the things that he has heard this evening, which are opportunities for possibly Schnitzel's Tavern to come back. He's been a resident of State College since 1992 and he would welcome that back. Many members have spoken which have not been in the area as long as he has and he would welcome that. He is not committing them to it but he would like to see that happen. Since all the court action has stalled the process to what was applied through the PHFA they are now seeking the process of resubmitting their plans to the PHFA. He handed Mr. Schrack the letter that comments that he has heard over and over again that he has breached or the action of demolishing these buildings breaches any sort of capability of his company or anybody to raise federal funds, which ten homes is a federal funded organization. The federal government funds the state and the state jurisdiction manages that process. He reached up to the PHFA and has gone ahead and received the letter because he knows it was imperative to resolve this issue that has been brought up many times. He knows people in the room are trying to pass some sort of cloud about the processes, but he also asks the community to appreciate the patience, as he does, and he appreciates everyone's feelings in this room, in what they've done in order to move this process along. He sincerely believes as he has called it Bellefonte Muse it will have long-term benefits for this town once it is developed. Nobody is building a cinder block building in front of the streetscape of Bellefonte. They have committed to follow and they work with the Historical Architectural Review Board, which has now provided the recommendation to demolish these buildings. They are mandated to work with them in order to continue their redevelopment in the streetscape that provides the image or benefits of following the streetscape. They said this from day one when they went to the Borough and cast their plans on what they wanted to do with the buildings. They are committed and are continuing to resubmit their plans to PHFA. If for some reason that doesn't work out they have an alternative plan, which includes redeveloping the properties, which would

have a commercial component to it including possibly some housing. Maybe not to the magnitude of what was talked about for the Bellefonte Muse. He heard in this room that workforce housing is welcome.

Mr. Provan made it a point to talk to at least 50% of the people in his neighborhood and they told him more than saving the Garman they didn't want workforce housing. Their big concern was workforce housing. They kept calling it welfare or low income housing.

Ari would appreciate it if there were other individuals in the room that are part of the housing coalition would help him answer but since they are not here he will do his best to answer that. Workforce housing is for families in the working force that earn anywhere between 60%-100% of the adjusted median income. These are not destitute individuals. These are not people that unfortunately due to their own personal circumstances are reliant on federal funds or community programs to take care of the cost of renting an apartment for their families to work toward and move on the ladder of success of life, which everyone in this room is trying to achieve. Workforce housing...the apartments they are trying to propose have rents between \$600 - \$1,000. They are not free. They are not going to be given away for a coupon. These are people that were possibly living in these buildings in September 2012 when the fires forced them out onto the streets. If you remember all the articles that were written everyone was looking how they could benefit these families. They took it upon themselves as developers to approach the community to help. As a developer they would like to benefit by doing something for community. They take pride in what they develop. He heard someone that visited their project in State College, which is Limerock Court. He is proud of that project and he encourages everyone in the room to visit 234 Limerock Terrace. It is a 38-unit building with 19 3-bedroom apartments and 17-two bedroom apartments. They are high quality. He wants the best that can be offered to families. That is the same thing he wants to offer here. He can't describe it any better. He can't stand there and say those people are not going to be here and these people are. That's prejudice. He can only assure that the program has guidelines that are follow as presented. That's what workforce housing means to him.

Mrs. Brown asked if there is a possibility it could be income based housing. Ari stated it is income based housing.

Mr. Provan asked if there was any alternate plan to have workforce housing at the Cadillac site as well as the Do-De site and having the Garman Theatre be preserved? He asked if the funding would be available or if there is a possibility to save the Garman and have workforce housing. Ari stated there is none other than how it was submitted to the PFHA. He stated they should also consider the Do-De building. He stated hardly anybody made any comments about the Do-De right next door. It also has historical elements that the Garman also is being talked about. The two together are part of a 21-unit apartment building and commercial facility. They are adding that to the community. It's a benefit to the community. There is absolutely no parking right now at those facilities. There will be 19 parking spaces provided in the rear of the building. There were no zoning amendments to get what they proposed approved.

Ms. Dunne asked the relationship between Progress Development (PDG) and the Bellefonte Muse LP. Ari stated PDG is the general partner of the limited partnership that owns the properties. The limited partner is the Bellefonte Muse LLC. It is a classic

way of how a development is done. PDG makes all the decisions for all the properties that are owned in the name of Bellefonte Muse LP. Ari heard all the comments that something can be done as a benefit to this community as a arts & cultural activity center. He wanted to go on the record to say that he personally is willing to put a \$50,000 commitment to any new capital campaign contribution effort that is launched by the BHCA in addition to what funds have been raised today to find another location, possibly in the waterfront, in order to show that they are committed in developing something that may gain other attractions other than what they are planning to build in this community.

Ms. Dunne would like to discuss this more. She's not entirely comfortable with HARB's decision. In as much as the consultant did stress the importance of saving the facade she thinks that remains an issue. Also, Mr. Uhler's wish to see the complete plans for the redevelopment before approving demolition. She is uncomfortable about the recommendation to Borough Council from HARB as being a very strong one. You usually find strong recommendations coming across to Borough Council and there isn't much trouble approving them. This is a slightly different situation and she has other considerations there.

Ms. Dainty has been to all the court hearings, all the IDA meetings except for one or two, and all the Council meetings where all this has been proposed...last year in the winter when Progress first came to Council and was talking. She has listened to all of it. She talked to other people in the community. The majority of people she has spoken to aren't in favor of saving the Garman. There are 6,000 people living in Bellefonte and the ones she has talked to do not see the need to save it. A lot of letters she got from the people who wanted to save the Garman were about affordable housing. She is sorry but that is not something she will take into consideration because as a servant of the public one of the things you are supposed to honor is fair housing so she can't even take that into consideration in making a decision. Fair housing is an important issue for everyone. When you talk about workforce housing she will tell you the truth. She could live in workforce housing and she is not ashamed of it. She is not poor by any means but she could greatly benefit from that. She is not going to live there but she is someone who could. It's not the scum of the earth who is going to live in workforce housing. She has heard a lot of things said to she personally. She thanked Joanne for stepping up and saying she does believe in and support workforce housing and affordable housing. A lot of the letters received said they were against it. The letters are on record. Vana stated there are a lot of things to consider and she believes that more people walking in the streets of Bellefonte with expendable income would be a great benefit.

Mr. Schneider has several concerning issues on this. One thing that concerns him, and he has read every bit of information that has been handed to him, he's done research on it and he can honestly say he worked on the previous renovation project to the structure and the ongoing deterioration of the building concerns him. What additionally concerns him is there was a large outcry last fall immediately after the fire when Council looked at providing leadership to the community to try and save what was felt as an important historic structure. The citizens were heard loud and clear that Council absolutely was not to put a dollar into that building. Other Council members specifically lobbied to that same extent when Council was looking at options to try to

figure out a way to stop deterioration and save the structure. One of the things that he has not seen is a true business plan putting forward that if this was to be moved to an arts center, looking at several of what he calls critical issues: 1) where will parking be added? Council continues to talk about parking in town and the increased cost and the potential outcry that a parking deck needs to be provided when there is very little, if any, federal or state moneys available to put into it. 2) where will additional monies come to look for parking for the facility. Mr. Schneider feels an art center in town would be great but the location and the location of those who want to attend it...the parking is broken off and far from it. 3) the time frames that he has seen have the building sitting here for five or six years potentially. As much as he applauds the group and their fundraising efforts to date the amount of funds it is going to take to do the project properly, and one of the problems with the last project was the fact that the previous owners were cash strapped and the undertaking of the project was just beyond their means. To do this project right is going to be a massive undertaking with an incredible amount of financial hindrance and commitment. What concerns him is that there is a vacant structure sitting in town for another five or six years and all the associated problems that a vacant structure brings to this community. Once the project, if completed at that time, he has not seen a solid business plan that would lead him to believe that the project would be self supporting at that point going forward and do so successfully. From a purely analytical standpoint it's difficult to get behind that. He is absolutely, like many others, by choice has called Bellefonte home and has put lots of hours and lots of effort into the community and continues to do so and has committed to this community and committed to historic preservation. One of the things he finds difficult is not seeing a road map to a successful project that does what they claim. He would absolutely love if that were possible. As he hears from the audience indicating give it more time he can tell them that the Cadillac building has been sitting there since 2009 and Council has stayed its execution multiple times over because somebody has come to the table and let them down. PDG is the only one that has come to the table for the Do-De. The Garman is a difficult project to undertake. What we can't have is another empty structure.

Ms. Dainty wanted to talk about what Walt talked about. She stated when Council wanted to put a roof on it and stabilize the structure they were told by many, many citizens not to spend any taxpayers money. They chose not to do that and it has done nothing to get worse and worse as time goes on. The mold and mildew in there are beyond belief. She saw pictures on channel 6 recently of people going through and the mold was worse than when she was in there. At one time when ABCD was alive they discussed how a conservatorship could be done at that point and BHCA did not step up at that point to try to do that. It has always been out there that it could happen. She loved the Garman and she thought the Iadarola's did a wonderful job with what they had and she didn't see the town really supporting them. There is a young man living in this town and he used to take his son to the Garman all the time. He said I loved that place but those people didn't support it then so I don't see them support it now. I just think it needs to come down. And that's the truth. No one really supported them. Vana went as much as she could. That place was not supported through the town. If there was a roof put on it last year it might have been savable but at this point she thinks the mold will be too bad.

Mr. Provan requested that the two buildings be separated on the vote. It was emphasized that Council is voting on a recommendation of HARB. Mrs. Brown feels if HARB members were present at the meeting and one member hadn't abstained their recommendation would have been not to demolish the building. Mr. Beigle does not want to separate his motion. Mr. Stewart stated the Borough has not adopted Robert's Rules.

Mr. Wilson read with some interest Alan Uhler's letter to Council with some of the questions he had. Mr. Wilson proposes to amend the motion that Council move to conditionally approve the recommendation of HARB for a Certificate of Appropriateness regarding the properties with the conditions for enactment of approval after a redevelopment plan and the building facade has been approved and funding, be it grant money or tax credits, be applied for and approved. Once that is done it could move forward. Mr. Halderman stated Ari has a demolition order issued by the borough that must be done by February 2014.

Mrs. Dunne responded to Walt's concerns. She believes if the use for the building does not change then the parking requirements that were imposed upon it do not change either so parking is grandfathered and the Garman virtually had no parking that was required to have. Mr. Schneider was not referring to what is required under the zoning ordinance. He was talking about a practical function of those attending functions at the facility and the desire of them to park in the reasonable proximity of the facility. Mrs. Dunne has that concern also. Mrs. Dunne is not extremely familiar with the business plan of BHCA but there was a ten-year timeline given. She didn't feel it was a bad business plan. She felt it was quite sensible. Also, Mrs. Dunne stated a non-profit would have a different profit expectation than a single family. Regarding mold Mrs. Dunne stated mold is not as scary as a number of people think. There are a number of buildings that have recovered from a mold epidemic. No one on Council is a mold expert so she doesn't think the building should be killed because it has mold.

Ms. Dainty is not against the plan of the BHCA. She thinks it is a great plan. She thinks ten years is not something that should sit there for ten years. When she looks at the Cadillac building she looks at all three projects. She doesn't want to see the Cadillac building come down. The Garman facade has changed many times through the years so it's not historically the way it was originally. The Do-De was ornately beautiful at one time. She sees nothing concrete in the BHCA plan.

Mr. Provan would like clarity on what a yes or no vote would mean.

Mrs. Brown has not heard anyone speak about DEP permits. Mr. Stewart stated Council is voting on a Certificate of Appropriateness. The applicant also has to and already has to submit a demolition permit and all the air quality and mold handling issues is addressed in those permits and must be approved before the permits are issued. The building code official goes through a process of review to make sure everything is in order for the standards set forth and if they are the permit will be issued. He is not sure how much DEP is involved at that level, but the building code official, the third party building code official reviews the project and inspects the project to make sure that the plans submitted are being followed.

Mr. Halderman stated the consideration for the vote and motion is a yes vote is to demolish both properties. A no vote would not approve demolition.

A roll call vote was requested.

Mrs. Dunne was impressed with the group present. They are reminding Council that they haven't been visionary enough. They are reminding Council about a lot of things and she wishes there were some way to all get together and discuss this as a community. She feels it has been rather disjointed. She feels as Council it should have been approached in a different sort of way. Mrs. Dunne made a motion to table the vote. Mr. Provan seconded the motion to table the vote. She is proposing to table because of a lot of outstanding uncertainties and outstanding litigation. She would like to table any action on just the Garman. Mr. Halderman questioned if it is valid to table without knowing a date. Mr. Schrack stated it is currently on appeal to the Commonwealth Court. The local court, the county court, can deny the application for a preliminary injunction to stay further action pending appeal. That was denied. Because the court denied it further action can be taken by Council. That doesn't mean that the appeal will have some different result. Things can still proceed here. A voice vote was taken. A roll call vote was taken: Wilson-yes; Dainty-no; Brown-yes; Schneider-no; Provan-yes; Beigle-no; DeCusati-no; Dunne-yes; Halderman-no. The motion was denied with five no votes and four yes votes.

The original motion to consider the Certificate of Appropriateness for demolition of 110 East High Street and 116 East High Street will be voted on. Mrs. Brown called for a recess to get clarification of the law. Mr. Stewart stated the Borough solicitor is right here. Ms. Dainty stated someone gave her a piece of paper requesting a recess. A roll call vote was taken: Wilson-yes; Dainty-yes; Brown-no; Schneider-yes; Provan-no; Beigle-yes; DeCusati-no; Dunne-no; Halderman-yes. The motion passed with five yes votes and four no votes.

Mr. Wilson made a motion to adjourn the Special Council meeting of November 11, 2013 at 10:00 PM. Mrs. Brown seconded the motion. A voice vote was unanimous.

## **ADJOURNMENT**

- With no other business to come before Council Mr. Provan made a motion to adjourn the Special Council meeting of November 11, 2013 at 8:55 PM. Mrs. Dunne seconded the motion. A voice vote was unanimous.

Those present at the Special Council meeting of November 11, 2013 were:

Robert A. Schaeffer, 541 East Beaver Street  
Helen M. Alters, 111 Creekside Lane, Bellefonte  
Thomas Milion, 2247 Jacksonville Road, Bellefonte  
Romayne B. Naylor, 715 East High Street, Bellefonte  
Clarence Florey Sr., 537 Benner Avenue  
Douglas McMullin, 149 Buffalo Run Road  
Gary & Susan Hoover, 136 Burnside Street, Bellefonte  
Melady Kehm, 334 East Howard Street, Bellefonte  
Jeff Johnson, 170 East Linn Street, Bellefonte  
Nancy Moore, 165 Tree Top Lane, Bellefonte  
Nancy Noll, 176 East Linn Street, Bellefonte  
Jack Lafond, 337 East Linn Street, Bellefonte  
Randy & Cathy Brachbill, 120 Badger Lane, Bellefonte  
Debbie Hamilton, 402 Gregory Lane, Bellefonte  
Pete Schall, 1088 West Water Street, Bellefonte  
Colina Seeley, 420 Millgate Road  
Robert L. Caserio, 254 North Allegheny Street #6  
John C. Decker, 505 East Curtin Street  
Steve Heverly, 254 North Allegheny Street  
Samantha Surovec, 388 Lower Coleville Road  
Lauren Shutika, 612 North Spring Street, Bellefonte  
Bonnie Leathers, 740 Woodland Drive, Bellefonte  
Elizabeth Bragg, 340 East Beaver Street, Bellefonte  
Dave Capperella, 128 Beech Hill Road, Bellefonte  
Marie Tressler, 110 South Thomas Street  
Luke Keller, 136 East Burnside Street, Bellefonte  
Nancy Brassington, 375 Reynolds Avenue, Bellefonte  
Barry Kroeker, 173 Creekside Drive, State College  
Sue Carhevale, 239 East High Street, Bellefonte  
Sharma Musser, 172 East Curtin Street, Bellefonte  
Michele Moore, 170 East Linn Street, Bellefonte  
Bob Dannaker,  
Regina B. "Dia" Fornicola, 416 West High Street, Bellefonte  
Beth Fornicola, 416 West High Street, Bellefonte  
Earnie Thewlin, 229 North Allegheny Street  
Susan Benson, 210 North Spring Street  
Katie Novak, 363 East Linn Street  
Billie Jo North, 375 East Linn Street  
Melanie Bitheway, 127 East Manchester Lane  
Rob & Belinda Geist, 233 West Fifth Avenue  
R. Bruce Manchester, 202 Ringneck Drive  
John & Catherine Foreman, 314 East Howard Street  
Pat & Rick Bierly, 144 Lyonstown Road  
Joanne Tosti-Vasey, 429 North Spring Street, Bellefonte  
Joe Vasey, 429 North Spring Street

Ralph Seely,  
Kristoffer Jacobson, 254 North Allegheny Street  
Richard Fisher, 265 East Curtin Street  
Troy Knecht, Bellefonte  
Jennifer Zeigler, 176 East Curtin Street  
John McCarthy, 260 Bird Lane  
Ava Michen, 2247 Jacksonville Road,  
Barry Spicer, 363 East Beaver Street, Bellefonte  
Sheila Stever, 427 East Beaver Street  
Monteca Confer & Mya, 668 North Harrison Road  
Joseph Griffin, 133 North Spring Street, Bellefonte  
J. Karen Arnold, PO Box 45, Bellefonte  
Merrie Margaret Whitehill, 305 Weaver Hill Road, Bellefonte  
Judy Ranio, Benner Road, Bellefonte  
Rick Weaver, 244 Betty Lane  
Doll Kuder, 338 East Bishop Street  
Jill Seigworth, 1002 Woodland Drive, Bellefonte  
Mark Badger, 334 Blanchard Street  
Sarah Travis, 334 Blanchard Street  
Eleanor Huleky, 341 East Linn Street  
Douglas Vonada, 114 Rosewood Court  
True Fisher, 228 North Allegheny, Bellefonte  
Mr. Jackson, North Allegheny, Bellefonte  
Ann Donovan, 312 Christopher, State College, 16803  
Ross Pifer, 217 West Linn Street, Bellefonte  
R. Beard, 301 North Spring Street, Bellefonte  
Patrick N., 375 East Linn Street  
D. Kasdorf, 445 East High Street  
John Raiser, 140 East Linn  
John Dann Sr., 122 Haupt Avenue  
Jim Mullen, PO Box 1356, State College, PA 16804-1356  
Gab... Pollock, 126 East Curtin Street  
Peter Warren, 137 North Spring Street  
Phil Ruth, 232 North Wilson Street  
Bonnie Hall 273 E. Mo...  
Jeanne Stevens Sollman & Philip Sollman, 318 North Fillmore Road, Bellefonte  
Sherrie Brudon, 354 East Beaver Street  
Mary Vollero, 137 North Spring Street  
Megan Tooker, 177 East Curtin Street  
Eve Shellenberger, 318 Pine Street, Bellefonte  
Troy Denmota, 319 East Beaver Street, Bellefonte  
Paul & Joy Sciabica, 722 East Curtin Street  
Dane Kurtz, 118 ES Hills, State College  
Melissa Rolls, 412 East Linn Street, Bellefonte  
William Kothe & Cecilia Rolls, 412 East Linn Street, Bellefonte  
Greg T..., 701 North Spring Street



Anne McCarthy, 231 North Allegheny  
Jonathon & Adelaide Eburne, 384 South Linn Street, Bellefonte  
Don Quially, 359 S. Allegheny Street  
J. Dunne, 222 North Allegheny Street  
Ron Andrews, 306 East Curtin Street  
Julia Kasdorf, 232 North Wilton Street  
Ede Booke..., 128 South Allegheny Street  
Sally R. Houser, 716 North Allegheny Street  
Debra Callahan, Greenbriar Drive, State College, PA  
Henry Brian, Hay..., State College  
Roger Herman, 143 East Curtin Street  
Frank Densevich, 136 EDW Drive, Bellefonte  
Arthur Curtze, 140 Heide Lane, Port Matilda  
Travis DeCastro, 124 Buttercup Way  
Claudia Wilson, 250 North Wilson Street  
Tim Schreffler, Bellefonte  
Keith Hock, 110 Forge Road, Bellefonte  
JoAnn Knupp, 441 N. Spring Street, Bellefonte  
Nancy O. Miller, 1211 Centre Street, Bellefonte  
Dick Knupp Jr., 214 Wiltshire Drive, Bellefonte  
Mike Prendergast, 218 North Spring Street, Bellefonte  
Claire Prendergast, 218 North Spring Street, Bellefonte  
Tracey Peters, 412 Lower Greens Valley Road, Bellefonte  
Kenneth Vasey, 429 North Spring Street, Bellefonte