

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
June 4, 2018 - 7:30 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

6:30 p.m. – Executive Session: Real Estate
6:35 p.m. – Work Session: Recreational Vehicle Parking, Food Truck Ordinances, Fee Resolution, Chicken Ordinance Zoning Permit

CALL TO ORDER:

The June 4, 2018 meeting of the Bellefonte Borough Council was called to order at 7:30 p.m.

Pledge of Allegiance was followed by a moment of silence (to pay respect to fallen Armed Forces members and Council members who have passed).

ROLL CALL

MEMBERS PRESENT: Mr. Randall Brachbill
Mr. Evan Duffey
Mr. Jon Eaton
Ms. Melissa Hombosky
Mr. Douglas Johnson
Mr. Michael Prendergast
Ms. Joanne Tosti-Vasey
Ms. Anne Walker
Mayor Tom Wilson

OFFICIALS PRESENT: Mr. Ralph Stewart, Borough Manager
Mr. Don Holderman, Assistant Borough Manager

EXCUSED: Ms. Renee Brown

GUESTS: Emma Gonsalvez, *The Express*
Cynthia Hahn, C-Net
Kelsey Thomasson, *Centre Daily Times*
Jeff Arnold, Jr.
Rylie Cooper

APPROVAL OF MINUTES:

**Brachbill moved to approve the May 21, 2018 meeting minutes;
Johnson seconded the motion;
Motion carried.**

CONSENT AGENDA:

(The following items listed on the Consent Agenda are considered routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of Council request specific items to be removed for separate action).

*Communications: Letter request from Logan Fire Co. No.1 re: Annual Parade July 14
Communications: Letter request re: Block Party on 700 Block of W. Lamb Street*

**Brachbill moved to approve the Consent Agenda;
Prendergast seconded the motion;
Motion carried.**

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Email re: Front and Centre re: Conversion Therapy Ordinance

Email re: Free Summer Workshop for Bellefonte Teens

Free five-week summer workshop geared towards teens provided through a grant by a Penn State Professor, Renee Nicholas. Email: rdn11@psu.edu for more information. It is a digital story telling workshop and it is free of charge and begins July 9; deadline for the registration is June 20.

Local Government Advisory Committee (Chesapeake Bay Cleanup) with hand hours

Tosti-Vasey attended a meeting with regional Local Government Advisory Committee for the Chesapeake Bay Executive Council. This is a Governor Appointed council that provides recommendations to the Governor relative to the clean up effort in the bay and the MS4 requirements which Bellefonte will likely have to meet soon.

Alan Uhler – Soap Box Derby

He could not make the meeting but wanted to present a letter regarding the derby to take place during Father's Day Weekend on Sunday following the Cruise. It will start at noon on Allegheny Street. They are starting a Mayor's Cup Race and have invited Mayor Wilson to participate in an adult race. Council members are invited to attend.

ORAL:

Annual C-Net Report – Cindy Hahn

Cindy Hahn gave an overview of the C-NET Annual Report. Interns produced 482 programs in 2017. It was also the first year of the strategic plan. One of the mandates was that the organization opened membership to regional and county wide authorities. The articles of incorporation were amended in April to allow Authorities to join. The State College Borough Water Authority did become a member in January 2018. Ferguson PC meetings began coverage in the beginning of 2018. Work Sessions at Bellefonte have been covered since mid-March. They are now in the process of renewing the cable franchise with Comcast. A community needs assessment was done, and the results will be reviewed at the next CACC meeting.

Relative to the Borough, last year 23 regular Council meetings were held and there were no bulletin board messages sponsored. Council decided in 2015 to no longer post Council Agendas on the bulletin board for public notice. They wanted to stabilize the financial contribution to C-Net. They are valued as 1/10th of a program. The funding formula is based on five-year contributions by the Borough. The largest user is State College Borough.

Programming can be found on Comcast as well as on Roku. Hahn explained how to find programming. Viewing online data was provided. The average number of views for Council meeting was 62. 2018 saw an increase to 74 views per meeting.

Streaming issues were discussed, and Ms. Hahn stated that she will investigate this issue. Brachbill commended Ms. Hahn's crew on doing a great job. The annual report is available on the C-Net website.

Front and Centre – Rylie Cooper, Executive Director and Founder

Cooper explained the mission statement of Front and Centre. She discussed conversion therapy and their mission to protect youth from this concept. It is in the region and the State has not banned it. She would like the Borough to take action to protect the children as it is considered abuse. The abuse consists of electric shock therapy. She discussed some national statistics. She stated that all people are valued, regardless of their sexual orientation. She would like to see the program expanded from State College to include the rest of the Centre Region. She asked Council to consider adopting an ordinance to ban conversion therapy and investigate more effective ways to educate the general population and possibly institute a tip line or a way to report incidences. Cooper will email a report that was done to members to read over.

Stewart inquired how State College Borough enforces the ordinance they adopted. Cooper explained that they regulate it through businesses and licensing. It cannot be personally enforced due to the first amendment rights. She explained that taking a stance is an important first step. Tosti-Vasey stated that a resolution could be adopted. She also stated that an ordinance could also be adopted which would be enforceable. Bellefonte does not have business licensing like State College. She looked to Cooper for more resources on enforcement.

State legislative action has been stalled in committee. Tosti-Vasey spoke about the Ethnic Intimidation act in Pennsylvania LGBTQ Disability and General were added in 2001 and in 2003 the Commonwealth Court struck down the law as the State Legislative unconstitutionally gutted

an agricultural crime bill and replaced it with the intimidation act. Since then, they have not been able to get the bill back as law through the General Assembly.

SPECIAL COMMITTEE REPORTS:

Fire Executive Committee Meeting was held on May 23, 2018.

Public Hearing – Zoning Ordinance Amendment to allow backyard chickens.

Fire Chief Appointment – Public Comment

Jeff Arnold inquired about the reappointment of Walt Schneider as fire chief. He stated that he was speaking on his own behalf. He had concerns with Walt Schneider being reappointed. He offered that Schneider is not active whatsoever. He also offered if the police chief did not show up for work he would not expect Council to reappoint that person for that job. He opined that the fire chief should be expected to do the job.

He stated that Schneider pushes out policies. There is a facial hair policy which is over the top. Because one has a facial hair for one day unshaven, one would not be able to conduct fire traffic control or any other job that did not require the use of apparatus or breathing gear. Spending is also a concern for Arnold. Some of the equipment was purchased on a whim and there has been no use for it and it just sits. Arnold also discussed cell phones, and two written complaints about Schneider.

Arnold knows of another person that is interested in being fire chief. The Executive Committee rejected taking applications for another person to take over the job. There is no team work pushed for the stations and other than the airport drill, there has only been one training over the last two years that engaged both fire stations. Arnold would like to see the position opened to an active member that would make much more of a difference than the last couple of years. Brachbill stated that there is nothing in the policy for the fire chief that says he needs to be at all fires.

With no further public comments, and none of the Public Hearing, Tosti-Vasey closed the public hearing on the Chicken Ordinance.

MAYOR'S REPORT:

Wilson discussed the fishing along the waterfront. He sent an email out and wanted to clarify that the email's contents were not his thoughts. One of the police officers considered the enforcement and he looked at a lot of different options. Hombosky offered that, while she appreciates the time and thought that was put into the email, some of the things cannot be implemented. Some suggestions are not what Fish and Game would accept. When the conversation about ADA and youth fishing took place, they do not wish to have it at the waterfront and it would be going against what Fish and Game was asking. You cannot harm the fish and you must release them. They do not want children in that stream as it is too fast. Johnson opined that in regards to the suggestions, he did not feel it would change anything about people getting hooked and fish being killed. The walkway was created to be just that.

Wilson did speak with the police and he told them Council's wishes on enforcement of the fishing at the walkway. They have been notified and will enforce in accordance with the law.

Tosti-Vasey would like a line item added to the Mayor report to show how many violations have been issued for fishing on the bank. She would like to see both warnings and issued citations.

Wilson also reported that he attended the Open House for High Street Tattoo. He stated that he enjoyed meeting a lot of people at the event. Friday he will be attending the Old House Fair to do welcoming and he will be there for the lunch and speak with some of the speakers coming in.

The yarn bombing was briefly discussed. Wilson stated that he has heard mixed reviews. Hanging on the railings at the water front was not an approved location.

Wilson also stopped at the Children's Fair on Saturday. He stated there was a nice turnout and it was a successful event. Next event upcoming in town is the Cruise in a few weeks.

OFFICE OF COMMUNITY AFFAIRS – HARB Items

ZONING/PLANNING:

HARB:

HARB Meeting Minutes May 22, 2018 Draft

PLANNING COMMISSION:

Planning Commission Meeting Minutes May 29, 2018.

Stewart stated that they met on May 29 and came up with a recommendation to amend the zoning map and ordinance, specifically the area around Centre Crest and including the Centre Crest property from R-4 to incorporate it into the R-2 district. If Council approves, the property owners will be notified as well as advertisement of the change. It would also be passed through other municipalities in the area for any comment. Tosti-Vasey would like to add this topic to the next Council work session and have either Wright or Dannaker come in to do a presentation on this issue so that the public can see why this is proposed.

BUILDING AND PROPERTY – Point Person, Anne Walker

Walker reported on the auction listing. The auction will take place June 7 on MunicBid.com. 2003 Ford Explorer, parking enforcement, 1988 Chevrolet K-2500, 2000 International 4900 – garbage truck, three Western Salt Spreaders, three old garbage dumpsters, emergency lighting – parts only, tractor with plow, whacker generator, Stil HT75 pole saw – parts only. Walker stated that a motion is needed to approve the items for auction.

**Eaton moved to approve the items for advertisement for the auction;
Duffey seconded the motion;
Motion carried.**

The Cruise layout for this year was discussed. The paving will be complete in the municipal lot. There is some concern by both the engineer and contractor that putting the heavier vendor food trucks with jack stands on the freshly paved area may cause indentations, per Stewart. Further, Council discussed putting the show cars out on North Allegheny Street and closing the lot completely. Work session discussions yielded avoiding having to use the lot at all to prevent any damage to the newly paved area. Parking on the grass along the waterfront was also suggested, weather permitting. Brachbill stated that he would like to see the lot closed completely. Eaton suggested protection for the future by asking them to put down plywood for the vendor trucks hitches.

**Hombosky moved to completely close Lot A during the Bellefonte Cruise;
Brachbill seconded the motion;
Motion carried.**

Holderman wanted to make sure the Suburban was on the auction list discussed prior.

**Brachbill moved to allow the Logan F.D.'s Suburban and the Truck 111 to
be auctioned or sold via sealed bid;
Johnson seconded the Motion;
Motion carried.**

FINANCE AND GOV'T PERFORMANCE - Point Person, Evan Duffey

Liquid Fuels Tax Fund 2017 report

There were no issues found that Duffey commended Borough staff on doing a good job. Tosti-Vasey thanked Lori Walker, Finance Director for her excellent financial work for the Borough that resulted in this no-error audit.

PARKS AND RECREATION – Point Person, Melissa Hombosky

Talleyrand Park Pergola – Prebid Meeting June 6.

Holderman discussed the rebid of the pergola project. The Prebid meeting will be held Wednesday June 6 at the Council chambers. Carpenter/contractors are invited to attend who are interested in this project. Tosti-Vasey would like the wisteria preserved during construction. Holderman stated that the job will most likely be held off until fall so that the wisteria will not be blooming.

Hombosky reported that the duck signs were installed.

Johnson asked about the pickleball court status. A resident volunteered to go in and clean it. One resident volunteered to power wash it but after looking at it, he felt it would only damage the court. Hombosky will look at it to see about the lining of the second court.

HUMAN RESOURCES – Point Person, Renee Brown

Brown was excused from the meeting. Stewart had nothing to report.

Holderman reported that the Labor Management team met a week or so prior to begin going over the public works contract negotiations and a second meeting will be scheduled.

SAFETY – Point Person, Randy Brachbill

Approval of Walt Schneider as Fire Chief

Brachbill reported that at the last Fire Executive meeting, there was a motion to appoint Chief Snyder to another three-year term. The motion was seconded, and the motion came down to a 6-2 vote in favor of the reinstatement of Schneider.

Brachbill moved to approve the Fire Executive Committee recommendation to appoint Chief Schneider to another three-year term;

Motion died due to lack of a second.

**Fire Eaton moved to request Schneider to serve as interim Fire Chief until the Executive Committee has reviewed, and revised Chapter 35 and Council has approved the revisions;
Prendergast seconded the motion;**

Duffey recused himself from the vote as a member of the Logan Fire Company;

Brachbill stated that the revisions are done by the Fire Exec Committee and approved by Council.

Motion carried.

WATER/SANITATION – Point Person, Doug Johnson

No report.

STREETS – Point Person, Jon Eaton

Stormwater Engineer, Don Franson, is reviewing drainage at Parkwood Drive relative to installation a sump system there.

RR Crossing pad at Water Street – a meeting was held on May 23, 2018 regarding making the crossing flush; the railroad will do a minor revision as in 2024 PennDOT is to revise the pad. The Phoenix Avenue intersection was discussed briefly.

West Penn Power will switch out the street lights with LED lighting. This will be done by a subcontractor and be done soon. There should be a savings show shortly after that. There will be about 350 lights that will be replaced.

Eaton attended the Pennsylvania Association of Borough's Council streets program in Hummelstown. He said that it was a very interesting forum and he learned a lot about signage

and having a consistent plan for streets and sidewalks to improve pedestrian access and such within the communities. Roundabouts were discussed briefly. Brachbill briefly discussed bicyclist safety.

ENERGY AND ENVIRONMENTAL CONSERVATION –Point Person, Mike Prendergast

PSU Solar Project Report

Prendergast spoke about the PSU Solar Project report. One was for the Waste Water Treatment Plant and three dealt with the municipal building. There is payback period of anywhere from 13-18 years. Tax savings were discussed briefly. Holderman stated that these reports provide the Borough with information that they did not already have. It gives a starting point if this project is ever undertaken. Hombosky stated that she toured the PSU facility and the person at the university has a wealth of information he would probably share with the Borough, if asked.

Ideas for 2018-19 Sustainability Projects

This will be discussed at the next work session to brainstorm for ideas.

Training by the Pennsylvania Municipal League will be held on June 5, 2018 on communities becoming certified in sustainability. Tosti-Vasey and Holderman will attend.

OLD BUSINESS:

Chicken Ordinance

Hombosky moved to approve the Chicken Ordinance – Chapter 575 zoning ordinance and Chapter 193 Animals sections; Prendergast seconded the motion;

Brachbill discussed that given the history of the Borough, it will only be another food source for varmints to come in and create havoc for residents. Johnson stated that in speaking with other Townships and Boroughs, they have been very successful with residents raising chickens. He is in favor of it. Without the input for fellow municipalities, he may have been more cautious. There were zero negative responses or complaints.

Motion carried with Brachbill voting nay.

Duffey moved to pass the resolution as proposed for the fee for chicken permitting at \$50.00 for three years, per all other zoning permits currently engaged; Johnson seconded the motion; Motion carried with Brachbill voting nay.

Porch Storage Regulations – being considered

Stewart reported that Centre Region Code was doing some research. He has nothing definitive back from them yet. Rentals are covered but not owner-occupied residential structures.

Consider Council Committee Structure vs. Committee as a Whole

Discussion was held to continue as currently operating (as a whole) or go back to individual committees. Johnson likes the committee and it allows everyone to discuss items and things are being discussed quicker. He thinks it has cut down on individuals' times spent in individual meetings. Eaton offered that work sessions have been productive. Prendergast agreed that it is working well and if a budget committee needs to be formed that can always be done at the time it is needed. Hombosky liked the committee meetings better. She feels that moving independently and swiftly works better. A lot of items in Work Session gets pushed off to another meeting. She offered that perhaps the work load has been decreased since last year.

Tosti-Vasey concurred. She offered that she believes there has been a lot of smoothing out of things, but committees are more able to get into the little details of issues, i.e., Air Pollution Ordinance. This ordinance has not been brought up and keeps being put out due to time constraints in Work Sessions. Prendergast offered that if Council needs something specific, a committee can be formed, ad hoc. The title of "committee point person" was discussed briefly by Tosti-Vasey. She stated that there are positives to both structures of committee reporting.

Prendergast moved to continue the Committee as a Whole for another six months;

Brachbill seconded the motion;

Motion carried with Hombosky and Tosti-Vasey voting nay.

Hombosky discussed her backlog of work and not having enough assistance to get things done and planned. Holderman indicated that staff could help to get things done if she needed assistance. She stated that she did not want to burden staff with this. Holderman said that the budget can be reviewed relative to outstanding parks projects.

Hombosky discussed long range planning and would like to see the different committee categories with long term goals while members are on Council to see how they wish to accomplish certain projects and strategies to meet those goals. Wilson interjected that when the projects are packaged together it will come back to Council and everyone will decide the outcome. Just because there is no committee, it does not prevent members from doing things on their own. Hombosky agreed.

Brachbill also discussed forming a specific committee for a project in the Parks area. He stated that Hombosky would still be the point person. Hombosky opined that the burden for the parks projects are on her and that everyone wants to have a say in certain things. Johnson stated that Hombosky needs to bring up the ideas and project at Council. Hombosky rebutted that there is no room in the meeting to discuss and she does not wish to sit at Council till 11 p.m.

Tosti-Vasey stated that if Council members feel the need that a committee needs to be developed, then the idea should be raised to her, and she will put it on the Council agenda. This issue will be reviewed in six months.

Pa. Association of Borough's Conference – June 10-13, 2018

Tosti-Vasey, Johnson, Stewart and Holderman will be attending.

Cable Consortium Meeting – June 11, 2018

Eaton, as alternate will be attending.

NEW BUSINESS:

Pa. Municipal League Sustainability Conference will be held on June 5 at the State College Borough Building.

Fair Housing Resolution adoption

**Hombosky moved to approve the Fair Hosing Resolution 06042018;
Prendergast seconded the motion;
Motion carried.**

Food Truck Ordinance

Stewart and Holderman will draft an ordinance for Council review.

Agenda clean up

Brachbill recommended the removal of items that have nothing to be discussed from the agenda to clean up the agenda. Tosti-Vasey stated that sometimes items that need to be discussed are not ready or turned in by the time the packets are prepared. The Consent Agenda was discussed. Eaton stated that there are things that are not on the Consent Agenda that probably could be on the Consent Agenda.

PUBLIC COMMENT: None.

ADJOURNMENT:

With no further business coming before Council,

**Duffey moved to adjourn the meeting;
Prendergast seconded the motion.
Motion carried.**

Meeting adjourned at 9:23 p.m.