

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
July 2, 2018 - 7:30 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

6:30 p.m. Work Session

- **Food Truck Ordinance - Draft**
- **Conversion Therapy Ordinance - Draft**
- **Sustainability Project Ideas for PSU Students**

CALL TO ORDER:

The July 2, 2018 meeting of the Bellefonte Borough Council was called to order by Johnson at 7:30 p.m.

Pledge of Allegiance was followed by a moment of silence (to pay respects to military, first responders, and community service personnel).

ROLL CALL

MEMBERS PRESENT: Ms. Joanne Tosti-Vasey (via teleconference)
Mr. Jon Eaton
Ms. Renee Brown
Ms. Melissa Hombosky
Mr. Douglas Johnson
Ms. Anne Walker
Mayor Tom Wilson

OFFICIALS PRESENT: Mr. Ralph Stewart, Borough Manager

EXCUSED: Mr. Michael Prendergast
Mr. Randall Brachbill
Mr. Evan Duffey
Mr. Don Holderman

GUESTS: Emma Gonsalvez, *The Express*
Edward Chama
Bob Jacobs
Bryce Taylor

APPROVAL OF MINUTES:

**Eaton moved to approve the June 18, 2018 meeting minutes;
Hombosky 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 Church of the Good Shepherd re: Road Closures
Communications: Letter request from the YMCA re: basketball court at Governor's Park*

**Hombosky moved to accept the Consent Agenda;
Brown seconded the motion;
Motion carried.**

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Letters dated June 15 and June 22 re: Compost Facility; consider policy on anonymous letters

Stewart explained that a few letters were received anonymously relative to dumping at Musser Lane facility. There has been an effort to improve security and tighten policies relative to the facility. As a side, Stewart inquired about a need for a policy relative to addressing anonymous letters. The dumping issue was taken under advisement, and the issue of anonymous letters going before Council was discussed. Brown stated that in the past, anonymous unsigned letters were not considered. Council will consider this when there are more Council members in attendance.

Summer/Fall 2018 Webinar Series: Land Use Decision Making

Stewart explained that this is information on future webinars. There is a cost involved.

Transform Issue 2 Spring 2018

Stewart explained that this a newsletter relative to the PennDOT Connects program which is an outreach program designed by PennDOT to help communities on future projects and get input from community members.

Centre Cabinet in Your Community/Registration

This gives the elected officials and others in the community an opportunity to meet with state cabinet and other officials. This meeting is set for July 19, 2018 and will be held at the PSU Ag Science Building from 1-2:30 p.m.

Letter relative to Jakes Cards and Games

Dr. Jay Bryce Taylor and Mr. Matthew Rupert sent this letter relative to the Arts Festival and its interruption with their business.

ORAL:

Bellefonte Under the Lights

Hombosky stated that Bellefonte Under the Lights (the dinner is September 7 at 5:30) tickets go on sale on Friday afternoon online at Downtown Bellefonte Inc. Physical tickets can be purchased at Bella Vino Wine Bar (Café on the Park) for \$40.00 cash.

LED Lights/Other

Ed Chama from Bishop Street spoke before Council regarding the new LED lights. The lights are brighter, and he wanted to see if the lights could be angled towards the street instead of lighting the homes. Along Bishop Street there seemed to be a lot of street lights installed and the section of the cemetery has all new street lights. He inquired about the reason for the lights.

Chama also stated that he has weeds growing at the street level. He inquired about the responsibility of these weeds. Stewart stated that the property owners are responsible for cutting the grass and weeds there.

Stewart stated that the new LED lightbulbs are going up in the community. There are no new lights and the existing lightbulbs are just being replaced in kind. Other residents have about complained about the color of the light. It is a brighter different color than was there although it is the lowest wattage available. It does save taxpayer money. There are no side shields available for the lights.

Stewart requested that the public wait for 90 days in order to take some time to get used to them. This has also occurred in other communities. It is just a different color of light – not brighter. Within a few days your eyes get used to the light and the issues go away. A shield for the front of the light is very expensive per light and would have to be approved by Council. The light cannot be adjusted physically on the side. The light can be turned out, but the Borough would still have to pay – whether the light is off or on. Stewart reiterated that there were no new lights installed.

Chama also inquired about the conversion therapy ordinance proposed during the work session. Stewart stated that it will be advertised to the public.

Johnson interjected that the Borough is saving about \$37,000 with the new LED lightbulbs.

Centre Crest Parking Lot – Stormwater Easement

Bob Jacobs, Centre County Planning Office spoke with Council on behalf of the County in obtaining a stormwater easement for the Centre Crest facility. The plan has been approved for the additional parking in the back of the building, and an easement is needed to develop an inlet and stormwater piping to make the improvements along with the parking lot addition. Time is of the essence, as Jacobs stated that the plan was approved, and two easements were required – one

from the Borough and one from Anderson, an adjoining property owner. That easement was signed. Only the Borough is needed to move forward with the bid. The easements were presented at the time Council approved the plan. Stormwater was discussed at length at that time.

**Eaton moved to approve the easement;
Brown seconded the motion;
Motion carried.**

Arts Fest Conflict with Local Business

Dr. Bryce Taylor addressed Council relative to Jakes Cards and Games on West High Street. He is the owner. He stated that there are many ways that the issues raised in his letter can be addressed. This all started last week, and he has been trying to get more information and reach out to residents. He feels that the arts and crafts festival is coming up and he is already kind of late getting into this issue. He feels that he cannot get information and cannot give input and also cannot suggest reasonable solutions to allow downtown businesses to have a chance in a street fair environment. He summarized that when the festival comes, it decreases parking and makes it difficult for his regular customers to shop and they “run for the hills.” He was offered a sidewalk sale but told that he needed to stay off of the sidewalk. He feels that he has been failed.

Taylor stated that there are no plans on how to lay out the fair. Suggestions have been turned down due to this. Either there is plan or there is no plan and if there is a plan he would like to know what is going on.

Wilson interjected that he has been involved with the Arts Festival for many years. He stated that Taylor’s complaint was a late comment and the chair of the festival has only chaired for two years. At the second to the last meeting, Wilson explained that when setting up the booths, they have been sensitive to the viable businesses that are open during the festival. There will be space allowed to see the entrance and the businesses will not be blocked.

Wilson suggested taking this issue to Sally Houser, President of the HBI who oversees the events and has some long-term experience with this issue. She may be able to assist with a resolution. Taylor stated that he also lost money as he closed this year during the Cruise.

Brown interjected that Houser is out of town until the end of July. She is not responsive to emails or phone calls. Hombosky expressed sensitivity to Taylor’s concerns and brought this very issue up a few weeks ago. She asked for a different set up for the tent because it is just not working for downtown businesses. Gary Hoover with the Chamber has been working with the organizers and he is also not having any luck. She opined that this is unfortunate as the local businesses do take a hit during these events.

If the tents are back to back, as suggested, the EMS vehicles cannot get through, per Wilson. The problem that the vendors do not like, is that they need room for inventory in the back. Taylor stated that the parking is the biggest issue but there is nothing that can be done about that. He is looking for other things to make the two days as good as he can barring the parking. Businesses having their own booths was discussed. This was tried prior. Brown stated that they could not compete with the vendors as they paid to come to the festival and they were separated. The local businesses were also not charged a fee for their tents.

Johnson explained to Taylor why the festival was moved from the park. He stated that construction in the park interfered with this year's arts festival and it had to be moved in town for that reason. Taylor preferred the festival when it was held in the park.

Stewart recommended a meeting between Taylor, Brown, and Snook and perhaps Wilson to try to gain a reasonable solution to this issue. Tosti-Vasey also suggested getting the Downtown Bellefonte (formerly Bellekey) staff involved as well. Stewart also suggested Gary Hoover of the chamber.

SPECIAL COMMITTEE REPORTS:

Spring Creek Watershed Public Forum – Final Report

Eaton stated that the final report was in the Council packet from the April 18 public forum. He explained that after a 15-year lapse, the watershed association is working on a phase II review for improvements to the Watershed Plan. 2003 Phase I was completed in 2003. Since that time, the area has had significant growth and there is a different perspective on issues that are facing the watershed. The report at hand reviewed public comment that was gathered during the April meeting. Penn State Law students facilitated the meeting and prepared the report.

Another meeting will be held on July 10, 2018 6:30 to 8 p.m. at Calvary Harvest in Boalsburg, 150 Harvest Field Drive. There was an email notice that was sent out from Stewart and Holderman. The Commission is trying to pull in as much community comment and engagement as possible.

Tosti-Vasey interjected that one of the main points of the report was that public wants to see more communication between the municipalities and the public and they do want to exercise the right to participate in issues affecting the watershed. They would like to see more forums held. Registration is required to attend the meeting. Public can call Kaitlyn Petty at 717-480-6359 or email at springcreekwatershedcommission@gmail.com.

Centre County Metropolitan Planning Organization (CCMPO) Special Meeting June 26, 2018

Johnson reported that the CCMPO tech and coordinating committee memo was in the packet. It summarizes that a public comment period was held beginning June 22, 2018, and concludes at 12 noon on July 23 regarding the Air Quality Control. Legislative revisions changed Centre County from being an attainment area to a maintenance area under the 1997 Q Zone NAAQS. The Centre County Long Range Transportation Plan needs to be changed and the improvement plan.

The grant for the I-80 and I-99 project was also discussed. This has been added to Centre County LRTP and PennDOT's TIP program. This was also included in the air quality conformity analysis. A draft of the LRTP and air quality report must be advertised for 30-day public comment and a public meeting must be held during that comment period. Approval of the plan will be considered at the Patton Township Building on July 31, 2018. www.ccmppo.net. The documents can also be reviewed at other public forums.

The Phoenix intersection and the wall along Water Street projects are still on the radar and will involve the use of local tip funds. The Route 144 Storm Drain issues is also still on the list.

Drive Electric Coalition Meeting and Meeting with Geoffrey Bristow, PA DEP

Tosti-Vasey reported that on June 4, the Drive Electric Coalition held their fourth meeting on the road map which is their strategic plan. The road map was presented, and final edits were made at the June 4 meeting. There are strategies for short and long-term goals which include grant programs throughout Pennsylvania and designing and adding language surrounding electric vehicle charging buildout in the state's uniform building codes that can be adopted and use by municipalities.

Holderman and Tosti-Vasey met with Geoff Bristow from DEP regarding grants for vehicle charging stations. The Bellefonte Borough is not eligible for the AFIG charging grant. In order to be eligible, the Borough would have to have an electric vehicle(s) which was already purchased and in use. There will be another program through the VW settlement and they are waiting for that grant to open.

Centre County Airport Authority

Johnson reported on the June 28 meeting. The large grant for a surface parking lot was discussed. This will expand the existing lot and take care of some stormwater management. A smoking policy was considered for the airport. Michael Leaky, AIA also did a presentation on the terminal facade redesign and sidewalk cover.

Cable Consortium

Negotiations are set to begin with Comcast for the new 10-year period contract. They hope to have this completed and signed by year end.

MAYOR'S REPORT:

Proclamation for Emma Gonsalvez

“WHEREAS Emma Gonsalvez has enthusiastically attended Bellefonte Borough Council meetings as a reporter for the Lock Haven Express since October 2015;
WHEREAS, Emma has written countless articles about Bellefonte Borough;
NOW THEREFORE, on behalf of Council and the Mayor, in appreciation for her dedicated service we extend to Emma our best wishes in her new role at Penn State.

IN WITNESS WHEREOF, I do set my hand and seal this the 2nd day of July 2, 2018. Mayor Wilson”

(applause)

Council thanked Gonsalvez for her though coverage of the Council meetings. They expressed how much they would miss her.

Chief Weaver provided a report to Council. It appears that 35 hours has been spent on foot patrol in Talleyrand Park. Wilson requested that the lights in the gazebo stay on overnight. He does not know if this has happened already. He feels that it is important to keep the kids out of the park at night. Wilson also reported that there has been some engagement with Sgt. Brower and Off. Pollack with some of the kids at the park and behavior. Wilson stated that he told Weaver that an officer is needed in the park every night.

Relative to the fishing at the waterfront, there has been 10 verbal warnings given by officers and Weaver. Guidelines need to be followed.

Letter from the Governor's office relative to Bellefonte becoming an Opportunity Zone. Stewart talked about Commissioner Higgins' overview at the IDA meeting on the selection of Bellefonte as an Opportunity Zone. Stewart thanked the Commissioners officer and others' efforts in submitting Bellefonte's name for this opportunity.

Wilson remarked that the Chalk the Walk event went well. He was one of the three judges. Tosti-Vasey would like the Mayor and the Borough to share the pictures on the Bellefonte website.

OFFICE OF COMMUNITY AFFAIRS – HARB Items

ZONING/PLANNING:

PLANNING COMMISSION:

Stewart stated that staff members are working out the advertising process involved with the rezoning proposed around the Centre Crest property.

HARB: Nothing to report.

BUILDING AND PROPERTY – Point Person, Anne Walker

Stormwater Drainage easement between Centre Crest and Bellefonte Borough (previously discussed)

Third Notice Modification Agreement and Resolution re: Northwest Bank

Stewart stated that the IDA is extending the interest only period on the debt on the waterfront property and Bellefonte has to back the debt, so the Borough Council needs to approve the resolution and the IDA has some paperwork that will be approved at its meeting. This is considered a refinancing which needs to be done prior to the IDA's next meeting next Wednesday.

**Walker moved to authorize the third note modification agreement with Northwest Bank and the IDA;
Hombosky seconded the motion;
Motion carried.**

Parking Lot A Update; No meter enforcement until Monday, July 9

There was training being done on the new meter kiosk system. Enforcement will begin on July 9, 2018.

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

2019 Budget - Council was asked to begin consideration of goals and objectives. Stewart asked Council to look at what changes they would like in the 2019 budget and consider projects of 2018. This will include increase in expenditures. Tosti-Vasey would also like to include public opinion on the budget. Brown inquired about looking into items that the Borough could "save" on as well.

Eaton inquired about projections on pension costs for future years for retirement obligations and health insurance costs going forward. Stewart will see if he can obtain any information on this. Usually, these costs are done on an annual projection basis.

PARKS AND RECREATION – Point Person, Melissa Hombosky

Memo re: Pergola

Memo from Holderman relative to approving the bid of \$49,000 with the additional \$19,000 to come out of the bulk water fund for this work. Wilson opined that it seemed that the cost of the replacement of the pergola was a lot of money and at the last meeting getting some students from CPI to do the work as a project was discussed.

This was the second time that this was bid out. Eaton stated that in the memo, Holderman offered that if the bid was not accepted, the bulk of the grant funding is lost. The grant was approved as part of the Talleyrand improvement projects. The project will be prevailing wages and that is a lot of the cost right there, per Stewart. CPI could be used. Borough Crews do not have the time right now to assist with this project being summer, per Stewart. Stewart also reiterated that some of the grant funds would be lost if CPI students are used. Whatever is not used, needs to be returned to the state. Stewart will contact CPI regarding the project.

**Tosti-Vasey moved to table the decision on the bid until after a discussion is held with CPI to see if they are capable of doing the pergola work;
Brown seconded the motion;
Motion carried.**

Letter from BHCA re: Talleyrand Park Annex Naming

Hombosky reported on the requested renaming of the Talleyrand Park annex to be named for First Responders. Last year the Talleyrand Park committee approved a policy of only taking cash donations and not allowing for anything to be named. They have declined the request and invited the Home Town Hero's committee to participate in the Talleyrand Park brick paver fundraising project that they are going to be doing this year as an alternative to the renaming and addition of banners to the park.

Mud Sill Work in Talleyrand

This work will begin July 9 and continue for 30 days

HUMAN RESOURCES – Point Person, Renee Brown

HR Committee/Staff Meeting – working on the public works collective bargaining agreement renewal

SAFETY – Point Person, Randy Brachbill – nothing to report.

WATER/SANITATION – Point Person, Doug Johnson

Big Spring Cover Project – Mediation Hearing held June 29

Stewart reported on the mediation hearing on the litigation on the cover defects. A tentative agreement was worked out. Details will be discussed in Executive Session with the Authority members. Stewart opined that he feels good about the agreement. There are some timelines that need to be met relative to the permit and a DEP consent order to get the permit closed. He was happy to report a tentative settlement.

Authority meeting scheduled for July 3, 2018

Executive Session at the Water Authority meeting to be held on the cover settlement.

STREETS – Point Person, Jon Eaton

Planning to set up meeting with PennDOT re: Stormwater from Zion Road (SR 550) flowing into the Parkview Heights area

The meeting will be scheduled as soon as possible to see if PennDOT will work with the Borough relative to stormwater coming off of Zion Road.

Willowbank RR crossing work scheduled for July 9th and 10th

New LED Street Lights, Borough office receiving complaints regarding brightness/glare, suggesting 90 days trial before making any change

Complaints relative to the new LED lightbulbs. Eaton reiterated the adjustment period of 90 days to residents as previously mentioned. The cobra lights were discussed. Stewart stated that they are owned by PennDOT.

Update on Paving Projects

Paving projects have not begun yet, i.e. milling. The contractor has not yet given a start date to staff.

ENERGY AND ENVIRONMENTAL CONSERVATION –Point Person, Mike Prendergast

Work Session Topic – considering Sustainability Projects in cooperation with PSU student/faculty

Stewart stated that the work session discussion took place on choosing projects for the sustainability study.

OLD BUSINESS:

Approval of Resolution to Hang First Sunday Banner.

The banner will be up when other banners come down. PennDOT requires a resolution because it is over a State road.

**Eaton moved to approve the resolution to hang the First Sunday Banner;
Hombosky seconded the motion;
Motion carried.**

Porch Storage –email from Walt Schneider

Johnson opined that nothing should be done at this time. He stated that there has only been one complaint and he does not want to pick apart something that is already in place. Code confirmed that it is already in place. Wilson stated that it will come back to enforcement i.e. a porch that is non-compliant.

Stewart stated that the Borough's code enforcement department works on a Complaint generated system. The Borough does not have the resources for personnel to go out inspecting porches. Any complaints will be sent to the Codes department for enforcement. The codes enforcement officer is part time. If it is a rental property, Centre Region Code will be contacted.

Membership in PML Information

Stewart discussed membership in the Pennsylvania Municipal League. There was interest in obtaining information in membership due to the attendance at a recent conference a few weeks ago. The educational opportunity was beneficial and interesting. PML provided information on their fees for Council.

Tosti-Vasey explained to members of Council that non-member attendance at the PML trainings cost more than double the member price. She found their seminars extremely helpful and interesting. Many of the meetings are held in State College which would reduce costs relative to travel.

Johnson inquired about the waiver of the 2018 fee and what would happen if the Borough waited until 2019 to join. He would like to see Mr. Croft come in a give a presentation is there is interest in joining PML.

Brown opined that membership was costly and disagreed with joining. Eaton inquired about the “training” budget. Stewart stated that it is budgeted but has been sliced down quite a bit over the years.

Stewart will reach out to Croft and the State College Borough regarding their remarks on PML.

Conversion Therapy Ordinance (Advertisement)

**Hombosky moved to advertise the proposed Conversion Therapy Ordinance;
Tosti-Vasey seconded the motion;**

Brown inquired about the cost to advertise. Johnson stated that it has to be advertised. Brown was not at the prior meeting and she inquired why the ordinance was crafted. Stewart summarized the discussion on Conversion Therapy and the practices that apparently take place.

Motion carried with 1 nay (Brown).

NEW BUSINESS:

Memo re: Flu Shot Clinic

Memo regarding flu shot clinic.

**Eaton moved to authorize the flu shot clinic for Borough Employees;
Hombosky seconded the motion;**

Cost depends on how many persons get the shot. Stewart stated that it is a preventative measure although there is usually not a large turnout. Even with a few people out sick with the flu, it becomes detrimental to services to the public.

Brown discussed insurance covering the flu shot and staff going to the doctor to get the shot. Stewart stated that the clinic prevents lost hours from work.

Tosti-Vasey asked for clarification if the motion would approve the clinic for elected officials and employees or just employees. Stewart stated that the memo includes everyone.

The motion was restated;

**Eaton moved to authorize the flu shot clinic for Borough Employees and
elected officials for this upcoming flu season;
Hombosky seconded the motion;**

Johnson did not agree with it covering elected officials.

Motion failed.

Original motion carried.

PUBLIC COMMENT:

Brown stated that she heard a lot of complaints about the yarn bombing. The complaints offered that it was “too much.” One of the police officers even complained about one structure looking like a child standing there at the curb.

ADJOURNMENT:

With no further business coming before Council,

**Eaton moved to adjourn the meeting;
Hombosky seconded the motion.
Motion carried.**

Meeting adjourned at 9:30 p.m.