

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
October 1, 2018 - 7:30 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

6:00 p.m. Executive Session

6:30 p.m. Work Session: (postponed)

- Anti-Discrimination Ordinance
- County/Borough Association Discussion

CALL TO ORDER:

The October 1, 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
Ms. Renee Brown
Mr. Jon Eaton
Mr. Evan Duffey
Ms. Melissa Hombosky
Mr. Douglas Johnson
Mr. Michael Prendergast
Ms. Joanne Tosti-Vasey
Ms. Anne Walker
Mayor Tom Wilson

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

GUESTS: Carol Terracina, *The Lock Haven Express*
Nancy Perkins

APPROVAL OF MINUTES:

**Brachbill moved to approve the September 17, 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).

Finance - Stover McLaughlin Invoice

**Duffey moved to approve the Consent Agenda;
Eaton seconded the motion;
Motion carried.**

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Thank you from the Bellefonte Arts and Crafts Fair

The crafts fair staff thanked the Borough staff and officials for their help with this event that took place in August. They also mentioned that they gave donations to the police to cover the extra hours of overtime as well as assisting the fire police.

Letter from CC Planning and Development Office re: Final Lot Addition Plan

This letter included comments relating to the waterfront consolidation plan with those properties. This is just an FYI.

Email from W. Schneider re: volunteer firefighter vehicle registration waiver

Email from the department fire chief regarding the proposed legislation to waive the vehicle registration fees for active volunteer firefighters and he is asking the Borough Council to support this through the two local representatives.

**Brachbill moved to send a letter to Sen. Corman and Rep. Benninghoff in support of the waiver of registration for active firefighters' vehicles;
Prendergast seconded the motion;**

Brachbill opined that this is more of an even keeled solution to give firefighters some relief. Duffey discussed that this is promising, and if the individual municipalities adopted something, they would all have to adopt something to make it beneficial to the firefighters. Mileage reimbursement was discussed briefly.

Motion carried with one abstention (Duffey)

Letter from CC Board of Commissioners re: 2019 County Liquid Fuels Program

The application for the grant is due on November 16. This issue will be brought back in a work session.

PennDOT Connects Newsletter

FYI information from PennDOT

Letter Request re: George Gray Barnard Sculpture Garden

Letter requesting reservation of the sculpture garden area of Talleyrand Park. The date is November 3. Since this was never requested in the past, there is no fee for that section. They are asking for a waiver of the fee. They are a for profit entity.

**Hombosky moved to discuss the issue;
Prendergast seconded the motion;**

In the past fees have not been waived for for profits. When people reserve Talleyrand, they are only doing one side or the other. Stewart explained that the garden is a separate area historically not included in the reservation areas of the park. There is a fee for the gazebo side and the extended side. Stewart just wanted to make it clear that it has never been reserved before. Johnson stated that we have a policy for non-profit waivers but do not provide waivers for for-profit organizations.

Eaton suggested moving this to new business or Parks and Recreation discussion of the agenda.

NVJRA Annual Report

Audit for 2017 was in the packet for review.

Email re: House Bill 1346 (Drones)

House Bill 1346 states that local municipalities are NOT permitted to regulate drones or other flying devices.

Tosti-Vasey stated further that the legislation does prohibit local municipalities from creating regulations related to drones. A letter was sent earlier on that Council opposed the bill. The house signed the Bill on September 26 and the Senate signed October 1. The Governor now has ten days to sign or veto. Tosti-Vasey indicated that Council could take no action or send a letter to Gov. Wolf reiterating our opposition to the bill and asking him to veto it. Stewart stated that it was passed unanimously through the House and Senate.

Although some municipalities have drone regulations, this legislation would preempt those ordinances.

Tosti-Vasey stated that this occurred with concealed weapons in the past.

Brachbill stated that he thinks that local government should have a say in the regulations. Eaton stated that it appears to be a veto-proof majority vote. Privacy was a factor in the state regulations, but it appeared to be a loose regulation.

Letter Request from HBI re: Halloween Parade

HBI requested permission to have the Halloween Parade on Saturday, October 27 at 11:30 a.m. near the elementary school to go down Allegheny Street. It would then turn at the courthouse, go down W. High Street and end up at the waterfront property.

The Fall Fest will follow at Talleyrand Park.

**Brachbill moved to approve the request;
Duffey seconded the motion;**

The first part of the request is to close N. Allegheny from 11 a.m. until the parade is finished; down to High Street, across the bridge to the waterfront district. The second part is to use the land on the waterfront district for their judging; and the third is to put banners up on the High Street Bridge for the fall festival and parade.

Brachbill inquired about protections for the pedestrians crossing the street to get into the park. The Rotary already requested the Borough close the road at Water Street.

Staff will make sure that all the closures have been requested, and if not, this motion can come for approval of all.

**Prendergast moved to include the additional closure between Water Street
and Potter Street during fall festival;
Hombosky seconded the motion;
Motion carried.**

Hombosky asked if any Council members would judge the Halloween Contest.

Outdoor and Conservation Expo Flyer

Poster for the Outdoor Conservation Expo. It will be held on October 3 6-8 p.m. at CPI. There will be a number of exhibits there.

2018 Centre County United Way Campaign Yard Signs

United Way campaign in Centre County asked if the Borough would be interested in sponsoring a sign which would be placed in the Borough. They used to do a thermometer looking sign. The cost is \$75.00. Johnson and Hombosky would like to see the sign. Johnson stated that he would offer to pay for it. Tosti-Vasey does not think that this sign could be up in the historical district. Stewart stated that there is a temporary sign ordinance in place. They prefer to put it up now until about January.

The sign would be compliant. It was previously on the waterfront. Eaton also volunteered to pay for the sign as well. The sign was also placed in the diamond as well. Staff does try to keep signs

out of the diamond area. The Borough Building, the Big Spring Area and the waterfront are options for the sign.

The sign(s) should be somewhere visible. Waterfront and the Big Spring were options. Stewart stated that the sign would be compliant under the temporary sign ordinance. No official action was taken. There will be two signs.

ORAL: Duffey – Feral Cat Issue

Duffey reported that he volunteered to be the point person on the feral cat situation in the Borough. He has been inundated with requests. They have been calling into the Borough and the staff has been getting the residents in contact with him. He will work the best he can to take care of the situation.

Part of the problem is that residents are willing to feed them but not actually trap them or take them in. Duffey will draft an ordinance about feeding stray animals as there is nothing in the ordinance. The only thing in the ordinance is about keeping owned cats off neighbors' properties. He welcomed assistance with the cat wrangling operations. Cat licensing was also discussed.

Wilson stated that two primary events that lead to the skunk problem years ago was the outdoor feeding of cats because cat food can be used for skunk bait when you are trying to draw a skunk in. Bird feeders will also bring skunks in.

SPECIAL COMMITTEE REPORTS:

Spring Creek Watershed Commission Meeting

Tosti-Vasey reported that the meeting was held on September 19. A presentation was made on stream monitoring.

The update plan was also discussed at that meeting. It is moving along. The final meeting with the technical group will occur this Thursday and a draft will be put together. There will be two public meetings at the end of October. It will probably be held at CPI with a time yet to be determined. This will allow for full public input.

Airport Authority

Johnson report that the Authority met on September 27. New equipment approvals were made.

An announcement was made that the Department of Homeland Securities granted Pennsylvania Real I.D. enforcement extension. Pennsylvania has been granted a Real I.D. enforcement extension through August 2019. This extension means that residents will not face access issues when entering federal facilities or boarding commercial aircraft through at least that date.

Tosti-Vasey added that the current driving licenses are not compliant, and the state is working on a two-tiered system. They will be available in March 2019. You can pre-qualify by going to Real I.D. on PennDOT's website. www.dmv.pa.gov.

Eaton stated that a US passport card can be used for a Real I.D. substitute.

Nittany Valley Joint Planning Commission

Brachbill stated that the commission met on September 27 and began reviewing the upcoming COMP plan and changes that were made thereto. It will be sent for review to other municipalities and it will be heard at a public meeting in Spring.

EMS requested assistance from municipalities to help fund them. It was suggested that it be looked at at the County level.

Centre County Library Board

Hombosky stated that the library received a Keystone Grant for \$27,000 to assist in capital improvements. It will be used for HVAC repairs.

MAYOR'S REPORT:

Wilson reported that three officers had some medical issues and there was some down time.

On October 11, there is a fundraiser that involves the Bellefonte Faith Center and Interfaith Council in State College – Over the Edge. There are a number of people in Bellefonte and State College rappelling down the Hyatt Place Centre in State College. You need to raise \$1,000 to do this. He is up over \$3,000 with the help of his high school classmates – Class of 1964. He will be going off around 12:30 p.m. It is a large event.

OFFICE OF COMMUNITY AFFAIRS – HARB Items

ZONING/PLANNING:

Planning Commission was to review Waterfront parcel consolidation/subdivision plan – meeting canceled due to lack of quorum. This will be scheduled for the October meeting.

Stewart reminded that the public hearing for the proposed rezoning of the Centre Crest property and eight other properties is scheduled for 6 p.m. Thursday, November 8 at Lambert Hall near Old Forge Road. There will be citizen comment period.

HARB:

Certificates of Appropriateness: 135 S. Spring Street, 348 E. Linn Street, 222 W. High Street, 226 W. High Street

**Duffey moved to approve the certificate of appropriateness for 135 S. Spring Street;
Prendergast seconded the motion;
Motion carried.**

**Duffey moved to approve the certificates of appropriateness for 348 E. Linn Street, 222 and 226 West High Street;
Eaton seconded the motion;**

Tosti-Vasey wished the record to reflect that the 222 and 226 West High Street signs are conditional on modifying the white so that it is not as bright and remove the red banners.

Motion carried.

HARB Meeting Minutes September 25, 2018 DRAFT

BUILDING AND PROPERTY – Point Person, Anne Walker

Bike Rack Committee Meeting

Walker spoke about the bike rack initiative. They are looking at bike rack art and they have not selected anything at this point. She did give our finance director an estimate of the cost in the 2019 budget and will continue to explore options relative to designs. She hopes to be able to purchase nine to eleven racks over the next five years. She hopes that the first ones will be in Talleyrand by the end of next year.

Nancy Perkins also added that although bike racks can look like works of art, she wants to make sure that riders know what they are. Some of them can get crazy. They could be a conversation piece and they are deciding what is appropriate for the Borough.

Brachbill mentioned that bike riding in the park is not allowed. He wondered where the locations would be. Walker stated that people could use the racks and then walk through the park. Locations considered are the playground or the train station and the serpentine loop at the end near the Big Spring parking lot.

Municipal Parking Lot near CVS – Update

The CVS lot is on schedule and the contractor expects to be finished by October 26 with no change orders. The bollards are there for safety measure for people on the sidewalk. Tosti-Vasey inquired about the color of the bollards. They are bright yellow in color. Stewart said they are still grading in the lot. The plans can be checked on the height. He agreed that the color is too bright. That can be dealt with inhouse. Black would make the most sense

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

Letter from Bellefonte EMS re: 2019 Funding Support

Scott Rhoat wrote a letter requesting additional funding support in 2019. This ties back to the meeting that Brachbill attended. Their suggestion was that all the municipalities that BEMS represents, increase the tax rate by 1/5 of a mil to help out. This can be discussed when budget talks occur, and the wish list items are added. This would be on that list. Rhoat has also offered to come to a budget meeting to discuss this.

PASB Seminar

Duffey will be attending the Municipal Budgeting and Finance seminar in State College.

Security Cameras in the Park (Eaton)

Eaton stated that he is a little short on information. He spoke with some people at PSU that had procured cameras. He has been provided with a contact person from Tyco. Brachbill previously dealt with Vigilant. Vigilant is also viable. The firehouse security cameras were discussed briefly.

Duffey reiterated the importance of getting in wish list items for the budget. Dollar estimates should be included in the wish list items.

PARKS AND RECREATION – Point Person, Melissa Hombosky

Bid Selection – ADA Accessibility to Park Restroom Project

The bid selection was discussed. Weber, Murphy and Fox was the lowest bid.

Fee Schedule

The fee schedule for the waterfront sidewalk and sculpture garden was discussed.

Duffey moved to charge a \$20.00 nonrefundable application fee and a \$200.00 rental fee and \$100.00 deposit, which is returnable if the space has been returned to the original condition after the rental; any Borough-based not for profit may request a waiver of the rental fee (\$200.00); This applies to both the waterfront and the sculpture garden; Prendergast seconded the motion; Motion carried.

Family Crises Intervention wants to rent the sculpture space on November 3 from 11 a.m. to 4 p.m.

Ball Field Lease Agreement with BASD Update

Holderman stated that the Borough solicitor responded back with comments and the comments were forwarded to the school district. They sent back a response – they took the agreement to their board. If they are putting funding into it, they would like to get into a more long-term agreement. Holderman will send it out to Council. It came in too late for the packets. A conference call can be arranged for discussion. It will be brought back to the next meeting

Brachbill inquired about maintenance of the field. The BASD would only maintain it during the baseball season. The Borough would maintain it afterwards. The scoreboard use by other entities was discussed. Holderman was unsure. BASD will pay for the electric during the time they are using it. The American Legion uses the field in the summer. Holderman was unsure of the use of the equipment and scoreboard issues by other parties. He will research that. Prendergast agreed that it appeared that if the Borough would be in control of the field off season then other entities would take advantage of the concession and scoreboard.

HUMAN RESOURCES – Point Person, Renee Brown

Public Works Contract meeting for September 24, 2018 cancelled due to loss in union member family; next meeting scheduled for October 8, 2018

Receptionist-Melissa McCullough Starting October 2, 2018.

SAFETY – Point Person, Randy Brachbill

Brachbill mentioned that the fire chief job description needs to be reviewed. A date needs to be selected. About two hours is needed. There is a meeting this month for the Fire Executive Board. He would like to get this out of the way. He suggested that the job description be presented to the Board as reviewed by Council and if any changes are recommended that they come to the next Council meeting. It is a Bellefonte job description and not a fire department description.

WATER/SANITATION – Point Person, Doug Johnson

CC Recycling and Refuse RFP Organic Materials Processing Services

Holderman discussed the organics recycling program. CCRRA reached out to the Borough. They put out an RFP over a year ago for a processing facility. They wanted to see the Borough composting site. The Borough worked with them on a 902 grant. He told them until the pad can be purchased and the compost site up and running, this would be something that the Borough would be interested in discussing. This is all preliminary at this point.

Hombosky liked the idea. Tosti-Vasey stated that since the letter was dated so long ago, if they are reopening the issue. They wanted to look at the Musser Lane facility as a potential site. Several members of Council were interested in meeting relative to this issue.

A design and process study was done by a group from the sustainability chapter at PSU. This process would require a DEP permit which the CCRRA would help with. Holderman stated that it is just a wait and see right now to see if the grant is awarded to get the pad and the other equipment.

NRWA Takeaways

Stewart shared some thoughts from the conference. There are more federal representatives at the national level. USDA, EPA were present. They give updates on what to expect. They are almost always working on new regulations. They tell you how things are going with the processing. He thought it was informative. There is funding available and there is criteria. The Borough generally does not score very well but he did want to circle back and speak about it.

Magnetic meters were discussed briefly.

Leaf Pick Up

No set date is scheduled. It will be scheduled when the leaves begin to fall and pile up. Other street work is still being done. Any resident can pick up a key during business hours if they wish to use the Musser Lane facility. Saturday morning it is staffed so that residents can get in without a key 8-11:45 a.m.

Holderman reminded residents not to put leaves in the roadway. They will clog the storm drains which causes flooding.

Prendergast discussed piling the leaves at alternative accesses. Johnson stated that the crew last year was very responsive to leaf piles that they see. He commended them on picking leaves up in a timely fashion.

STREETS – Point Person, Jon Eaton

The walk signal crossing at the other side of High Street was discussed briefly. It will be passed on to PennDOT.

The plantings on the diamond and at the end of Cherry onto Allegheny were complained of as being too high. Johnson stated that people complained of site distance issues. It may be that they are too thick. If you are in a car and are lower to the street, it is difficult to see.

Grass cuttings in the street were noticed. This was at the St. John's church. There is an ordinance against that.

Johnson mentioned the grass and weed ordinance. Bellefonte needs to take some responsibility in removing some from downtown. The brick between the sidewalk and curbing, have 6-8-inch-tall weeds. He opined that they are unsightly. Stewart stated that only certified sprayers can spray the weeds. There are guys on the crew that are certified. That may be added to the wish list. This should be the last year that it will look like that, per Holderman.

Johnson also stated that there was no food in the duck and fish feeding machines and perhaps some mold growing in them. One of the seasonal crew members fills them. The Borough will check this out.

The paving work is to start in October. Stewart stated that some will need to get put off until the Spring.

ENERGY AND ENVIRONMENTAL CONSERVATION –Point Person, Mike Prendergast

PSU Sustainability Project - Marketing/Communications meeting September 21, 2018

Tosti-Vasey reported that on September 21, students from the Penn State's communication class who will be working on a historical preservation marketing campaign, came to the Borough. Shannon Wright and Tosti-Vasey met with them and a history teacher from the high school. All walked around town and talked about some of the history in the Borough. They were enthusiastic, and it was over a two hour walk. One of the tag lines they thought of while walking through town was something like Take a Walk-Through History. They will present a presentation in December to Council. They were very enthusiastic.

Big Spring Cover Meeting

Stewart stated that the stake holder meeting was held on the Big Spring Cover Project. The students are from PSU Hazelton campus. The meeting was held in Council chambers with the engineer giving some history about permits and compliancy. DEP came to talk about regulations that must be adhered to. Cover cannot allow any contaminants in the spring. Sunlight is even considered to be a contaminant and can promote the growth of algae.

New designs will be brought forth to the Borough. Tosti-Vasey opined that Johnson made a good final statement: This is what you can and can't do. Open your minds wide open and give us what you believe would be a good project. Money should not be considered at this time as the Borough would like to go with several ideas to create what would be best.

The spring house will need to be visible, so any structure would have to be lower.

OLD BUSINESS:

Police Advisory Committee

Johnson stated that he spoke with Chief Weaver a few times, but he has not really had a chance to sit down and discuss a committee. Scheduling has been an issue with both, so he spoke with Weaver on the phone today. He needs to sit down with Weaver before presenting something to Council. Weaver is definitely interested. Wilson and the two sergeants will be included as well.

Tosti-Vasey will keep this on the burner until Johnson gets back to her with a definitive discussion.

NEW BUSINESS:

Update – Tree planting campaign

Holderman stated that last spring he attended a class on bare root tree planting at PSU. He has been taking names from residents about replacement trees. He followed up on the trees, and they are not offering the bare-root trees this fall but are in the spring. It will be through main campus. He is still putting out the offer to residents who may want a tree planted in the Borough right of way. This will be done in the spring. Some of the downtown trees that needs replacement will likely be replaced this fall. There is probably about 5 trees in town.

There is a tree on the corner of Linn and Allegheny that is no in good shape. The contractor has not been able to come out to tend to the tree, so the resident put up signs warning that the branches may fall.

AIRBNB

Johnson received a few emails from residents regarding AIRBNBs. He inquired if the Borough had a policy. Stewart stated that if one has a unit that is being rented it needs to be permitted by the code office contractor. Whether rented one night or all year long, it needs to be permitted and up to code. There are NO exceptions.

Space per person is taken into consideration when allowing people to stay at the home as renter. Parking was discussed as well. If is not permitted, it is illegal. Holderman stated that if someone knows of someone, just let the Borough know. Sometimes the homes advertised are not in the Borough.

Stewart stated that the policies are developed for health and life safety, and not about collecting fees. The permit process is not difficult.

ADA compliance was discussed briefly. Tosti-Vasey stated that they need to meet ADA requirements if there are four or more units under the Pennsylvania Human Relations Act. She does not know what the Borough code speaks to.

Johnson stated that he read an email wherein the dynamics of the neighborhood changed during a football weekend, with more cars on the street, and more noise than usual. The possibility of a family gathering versus a rental was mentioned.

Prendergast stated that no matter the rental, it still needs to be verified as to how many units there are and how many renters are actually renting.

PUBLIC COMMENT: None.

ADJOURNMENT:

With no further business coming before Council,

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

Meeting adjourned at 9:24 p.m.