

**BELLEFONTE BOROUGH COUNCIL**  
**MEETING MINUTES**  
**March 4, 2019 - 7:30 p.m.**  
**236 West Lamb Street, Bellefonte, PA 16823**  
[www.bellefonte.net](http://www.bellefonte.net)

**6:00 p.m. – Executive Session – Real Estate**

**6:30 p.m. – Work Session**

- **Strategic Financing/Intervention Program – Beverly Hutzel, PA DCED (cancelled)**
- **Resolutions for Borough Association**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

The March 4, 2019 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.

**ROLL CALL**

**MEMBERS PRESENT:** Ms. Joanne Tosti-Vasey  
Mr. Randall Brachbill  
Mr. Douglas Johnson  
Ms. Anne Walker  
Ms. Renee Brown  
Ms. Melissa Hombosky  
Mr. Michael Prendergast  
Mayor Tom Wilson

**EXCUSED:** Mr. Jon Eaton  
Ms. Gina Thompson

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

**GUESTS:** Chris Morelli, *The Lock Haven Express*  
Albert Drobka  
Lisa Drobka  
Zach Gay

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**APPROVAL OF MINUTES:**

**Brachbill moved to approve the February 19, 2019 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 Lions Club*

**Brachbill moved to approve the consent agenda;  
Brown seconded the motion;  
Motion carried.**

## **REGULAR AGENDA:**

### **COMMUNICATIONS: WRITTEN:**

#### **Letter from Benner Township re: New Zoning Ordinance Draft**

The public hearing is scheduled for April 8 at 7 p.m. Brachbill would like to see this issue go to an ad hoc committee for review as he did not think anyone really had a chance to read the draft in depth. Brachbill, Hombosky and Johnson volunteered to head up the ad hoc committee to see if there are any impacts in the ordinance on Bellefonte Borough.

#### **PSAB Class Municipal Police Department Supervision and Oversight**

Information on a class relating to municipal police department supervision was offered. The closest location for the class is Dauphin Borough, April 8. Wilson was interested in attending a class with the police chief.

#### **Memo from PSAB re: Centre County Boroughs Association**

This memo discussed forming a Centre County Boroughs Association. PSAB is sponsoring a dinner on Wednesday, April 24 at 5:45 p.m. at The Match Factory. RSVP by April 9. Prendergast, Hombosky, Tosti-Vasey, Wilson, Johnson, Brachbill and Brown would like to attend.

#### **2019 Pennsylvania Recreational Parks Society Annual Conference and Expo Pre-conference Event at Penn Stater**

This is a three-day event at the Penn Stater. Wilson and Hombosky discussed attending. Wilson is a member.

#### **Letter from Clearwater Conservancy re: Annual Watershed Clean Up**

The cleanup is scheduled for Saturday, April 20, 2019. Clearwater gets the volunteers and the Borough picks up the refuse bags. Rodney Mitchell usually takes care of that.

**Letter from Sylvia Swartz, 304 South Allegheny Street roof installation without prior HARB approval**

This is a letter from a resident who put on a roof without HARB approval. She received several letters from staff. Her statement of opposition is in the letter. (This was discussed during the HARB discussion later in the meeting).

**Voting Delegate from PSAB conference**

Reminder about the PSAB conference in June. The deadline for Council appointment of voting delegate and alternate by May 24, 2019. Johnson would like to attend as the alternate delegate. The conference is in Hershey this year.

**Prendergast moved to appoint Tosti-Vasey as voting delegate and Johnson as alternate voting delegate; Hombosky seconded the motion Motion carried.**

**Email from Matthew Milliron re: Block Group**

Holderman discussed the CDBG funding. The Borough picked up another low to moderate income block which includes Logan, Blanchard, Crawford Lane, and Burnside. Milliron would like to set up a meeting with building and property to look at potential projects for the 2019 application now that there is an additional block group in the Borough. This allows more flexibility. Most of the CDBG funding has been targeted to Talleyrand Park over the past ten years. This allows the funding to open up to other projects in the new block area. The funding could provide for infrastructure, e.g. sidewalks. The formal announcement has not been made yet and is pending. Tosti-Vasey would like the south and west ward Council members to discuss what projects may work in these two census blocks.

**Thank you from Good News Camp**

**Letters from Sabrina Coram re: Ethel Beaver Fund 5K Run**

Request to hold the run which would start at Governors Park and go down the bike path to the high school and turn around back to the park. The date and time is Saturday May 18, 2019 at 9 a.m. They would also like to use pavilion 12 for start and finish location. No police will be needed for this run.

**Hombosky moved to approve the request to hold the run and to use Pavilion 12 at Governors Park; Prendergast seconded the motion; Motion carried.**

**Email re: Pennsylvania Municipal League 2019 Membership Dues**

Stewart explained that the PML was in to speak with Council last year to talk about fees. They offered an introductory fee structure.

**Johnson moved to approve the membership (no charge 2019) in the PML review on an annual basis;**  
**Prendergast seconded the motion;**  
**Motion carried with one nay (Brachbill).**

### **Talleyrand Park Reservations from HBI**

HBI provided an addendum to the Talleyrand Park reservations. There is a newly added chain saw carving demonstration. Certificates of liability are always requested. This demonstration will take place August 2 and 3, 2019. This was listed separately from the Art Fair. Stewart will clarify this.

A motion was requested to approve the Easter Egg Hunt, April 20, 2019, Big Spring Festival, May 11, The Cruise, June 14 and 15, and the Historical Rail Road Society's Speeder Train Rides, August 2 and 3 for the Chain Saw demo and speeder train rides, an October 26 for Fall Fest and Halloween Parade,

**Prendergast moved to approve the HBI reservations for 2019;**  
**Hombosky seconded the motion;**

Some of the reservations are for the full park and some are for just a part of the park. It is not clear on the letter at the table. Stewart stated there are no conflicts. The Easter egg hunt would be the full park. Fall Fest is also the full park.

**Motion carried.**

**PUBLIC COMMENTS:** None.

### **SPECIAL COMMITTEE REPORTS:**

#### **Nittany Valley Joint Planning Commission**

Brachbill was unable to attend the last meeting; there was no quorum. There is another meeting this month.

#### **Fire Executive Committee Meeting**

A meeting will be held this month 4th Thursday, in Council Chambers. They will be reviewing Chapter 35.

#### **IDA Meeting Minutes February 13, 2019 Draft**

#### **Centre Area Cable Consortium**

March meeting was cancelled. There has been no response received back from Comcast.

### **MAYOR'S REPORT:**

## **Police Update**

Chief Weaver was in attendance at the meeting. Tosti-Vasey inquired about the article in the CDT regarding the heroin bust on Pine Street. Weaver stated that the police received intel from some local residents. Location was set up, with local drug force task funds, and they were able to identify someone leaving the residence, stop them legally and a search of the person yielded some narcotics. The police were able to obtain a search warrant from the Judge that evening. The warrant was executed and 453 bags of heroin, \$5,000 cash and some marijuana were confiscated. The suspects were on probation and charges were filed the next day.

Johnson asked Weaver to explain the drug task force funding reimbursement. Weaver stated that the time of the officers would be reimbursed from the fund. Patton, and State College Borough police also assisted. There has been a lot of work being done in the Spring Township area.

## **Snow Removal**

Wilson reminded residents that with the recent snow, sidewalks must be shoveled within 24 hours after the storm stops. He also asked the merchants downtown to be consistent with that, along with the landlords. It affects commerce when the walks are not done. It is also a safety hazard. If people are not compliant reminder fines will be sent out.

## **Thank you to Rep. Benninghoff and others**

Wilson thanked Rep. Kerry Benninghoff for providing some information for the purchasers of the waterfront district. He thanked the participatory business owners, residents, and Council members as well. There was a recent meeting, with an exchange of ideas of what would like to happen at the waterfront district and how that could be developed. There were some good comments and thoughts.

## **OFFICE OF COMMUNITY AFFAIRS:**

### **ZONING/PLANNING:**

Memo from Shannon Wright

Planning Commission recommended approval of the Robin Nest Subdivision conditioned on review of the stormwater by the Borough Engineer.

**Johnson moved to conditionally approve the Robin Nest Subdivision upon review and approval of the stormwater by the Borough Stormwater Engineer; Hombosky seconded the motion;**

The subdivision is off of Parkview. The condition of the stormwater plan is based on a timing issue on getting the comments from the engineer. The comments are incorporated, and the plan is signed off on. This has been done numerous times.

**Motion carried.**

Planning Commission recommended approval of the Lands of Jack Shuster and Bonnie McDonald Subdivision Plan located at North Allegheny Street.

**Brachbill moved to approve the Shuster/McDonald Subdivision Plan;  
Johnson seconded the motion;  
Motion carried.**

Planning Commission is looking to Council for guidance on whether Council would support language that would regulate “Airbnb’s” or short-term rentals like football weekend rentals. There are some neighbors with concerns about these types of rentals. There is no language on the books about how long someone can stay in a permitted rental unit.

**Brachbill moved to request the Planning Commission to review the zoning ordinance to determine if an amendment is needed for short term rentals;  
Prendergast seconded the motion;**

Hombosky is against this and thinks that people should be able to do what they want in their homes. Brachbill offered that family staying at one’s home is different than money making, for profit rentals. They should follow the same rules as B&Bs. Tosti-Vasey offered that the motion was stated as such to obtain information on the issue.

**Motion carried with one nay (Hombosky).**

Planning Commission will review the waterfront district height limitations to see if they are worthy of any changes in the restrictions.

**Johnson moved to approve the Planning Commission reviewing the waterfront zoning district height restrictions for possible modification;  
Prendergast seconded the motion;  
Motion carried.**

**HARB:**

**Certificates of Appropriateness: 124 S. Potter Street (ext. painting), 401 W. High Street (awnings and window boxes)**

**Brachbill moved to approve the Certificates of Appropriateness as presented;  
Prendergast seconded the motion;**

Johnson inquired about the awnings being round or square. Holderman stated that they are covering the rounded awnings and it was suggested that if they ever replace the hardware in the future that they chose a more period-appropriate awning shape.

**Motion carried.**

## **Roof Application without Approval – North Allegheny Street**

Stewart stated that the roof was changed without coming through HARB. A response letter was included in the packet from the resident. She also spoke with Stewart. There was also a letter from the HARB chair, Mr. McGinley regarding the goals of ordinances which create consistency in the process. HARB is pushing that the Borough be consistent.

Brachbill stated that he would recommend that the property owner go through the post-project HARB process and also thinks that the contractor has some responsibility in this. If the contractor is coming in to do work in Bellefonte, they should know what the rules and guidelines are. The contractor may be fined for this type of activity. Brachbill stated if it was the same company that was coming in selling metal roofs over the last two years, they do know better because they have been told. It was confirmed that it is a different contractor. Regardless, Brachbill stated that the contractors need to know the rules and guidelines.

**Brachbill moved to send this project back to HARB for post-project review and involve both the contractor and the homeowner;  
Hombosky seconded the motion;**

Brachbill stated that he does not want to see them have to replace the roof; maybe paint it. The tree damage had to have been the roofing contractor. He stated that he thinks the ordinance needs to be followed. HARB does not make the final decision on roof replacement if that is what is decided and Council would make any decision.

Tosti-Vasey stated that enforcement proceedings were started because there was no response from the homeowner. The deadline for contact was extended to the end of February and she did not respond until the very end of February. The fines would have been very serious. The violation implementation is on hold right now, but if the property owner and contractor do not show up at the HARB meeting, fines would begin. Roof replacement in the historical district needs a certificate of appropriateness.

Johnson wanted to clarify the issue – she did not follow the rules; the color was not approved, and she did not go through HARB for approval. This came to the attention of HARB via resident complaints. Wilson stated that he probably would not have noticed. The work was done over the Thanksgiving weekend. The HARB coordinator said that due to the closure of the Borough offices for the holiday, that by the time HARB could have responded to stop it, the replacement had already been done.

Johnson stated that perhaps an ordinance to the contractors is needed asking them to come to the Borough building to explain the job that they are doing in the historical district. Stewart stated that this is not new and there is language that a contractor can be fined for not coming in and obtaining the permits. This was not done in this case.

**Motion carried.**

## **DBI Report**

Tosti-Vasey and Brachbill commended that it was a good report. The wayfaring grant was received.

**BUILDING AND PROPERTY – Point Person, Anne Walker**

**On-Site Committee Meeting on Thursday March 7, 2019 at the Waffle Shop 6:30 p.m.  
(Parking Lot D)**

The parking used by the Waffle Shop is actually the Borough's property. Stewart does not know why the parking lots are named after letters. There used to be a parking authority a long time ago. Suggestion was made to rename the parking lots at this time. Renaming them now will help in designing the wayfaring signs.

**FINANCE AND GOV'T PERFORMANCE - Point Person, Gina Thompson**

Nothing to report.

**PARKS AND RECREATION – Point Person, Melissa Hombosky**

**Park Clean Up**

Hombosky spoke with Holderman earlier in the day, and in assessing the needs of both Krauss and Governors Park, the volunteers will be working at Governors Park and have work crews alternate between the two parks each year. Clearwater Conservancy cleanup will occur around Spring Creek. The Borough will pick up the refuse bags.

**Walkway at Waterfront**

Johnson wants to see the walkway cleared. He thinks it should be cleared without using salt. It should be cleared for people to walk on. He thinks it should be priority to clean it up. Holderman stated that there are only four crew members. Johnson stated that the work could be subcontracted out. Holderman stated that with the icing at the waterfront, it was hard to get the snow off because it had frozen.

The figure eight was discussed at Talleyrand as well. That has sometimes been plowed. Stewart stated that there is no parks staff in the winter and this may become a budget issue. The Borough paid for the salt damage near the walkway to be repaired. Labor and materials would have to be figured out and compensated for.

This issue will be deferred to Parks and Rec to determine how to handle this issue and if budgetary issues arise, the finance committee will be consulted for next year.

Brachbill recommended signage to the effect of using the stairs at their own risk. Wilson disagreed – stating that people do not read signs anyway. Walker stated that Millbrook Marsh does not maintain their boardwalks. He was adamant about clearing the steps and walk as it is the Borough's job.

Stewart stated that winter maintenance in the parks is not the priority with streets needing maintenance for EMS, parking lots and meter areas downtown. The upper brick walkway has been cleared, as per Wilson. Parks are more important than they used to be. However, the

walkway may not be cleared for only a few days, with “bigger fish to fry.” There are going to be some days when the parks will not be accessible.  
Tosti-Vasey asked to move on with the agenda.

### **HUMAN RESOURCES – Point Person, Renee Brown**

Holderman reported that they are still working with the Union to solidify a signing date and time for the new contract. They are waiting to hear back from them.

### **SAFETY – Point Person, Randy Brachbill**

#### **Code Reports**

Brachbill explained that there was a memo in the packet relative to the question on the report for the costs and breakdown for Bellefonte. Code indicated that they do not provide that for any municipality. There is a formulator indicating that the Borough has five permits with the total of \$54,860 and based on the fee schedule the applications would equate to \$35 x or \$175. The fee for new construction is .0055 x the declared cost which is \$851.73.

An update was given to Holderman on the Customer Service Rep vacancy that Council inquired about. They are now setting up call back interviews with four people.

Hombosky inquired about the Rental Housing Inspections Report by municipalities’ comparison report that Council used to receive. She stated that they no longer seem to be receiving them. This report includes completed inspections and re-inspections so that Council could have an idea of the health of the housing in the Borough. It was monthly; then it stopped. Stewart will check with Code staff. Hombosky offered that she feels that Council has never received a report on the health of the rentals and if it has gotten any better and if Code just comes in when there is a problem. Hombosky does not feel that she has a good picture of what is actually happening in town. Per Holderman this year will finish out the second round of two-year re-inspections and next year begins the three-year re-inspection protocol.

### **EMS Ordinance**

A meeting needs to be arranged for drafting the EMS ordinance.

### **WATER/SANITATION – Point Person, Doug Johnson**

Water Authority Meeting Minutes February 20, 2019 Draft

Johnson reported that there is a meeting scheduled for March 6 at 6 p.m. Tosti-Vasey will present the power point on the Spring Creek Watershed One Water Phase II proposal. The public was invited.

Brachbill inquired about the Authority’s opinion on the sewer line connecting through the airport. Stewart stated that this has not been discussed for a while. The Authority did not oppose the line tapping into the UAJA as it seemed to have made sense as they are right across the street from the proposed parcel to be developed property.

Stewart explained for background purposes that at the Shiloh Road interchange in Benner Township, there is proposed development across from The Hartman Agency. There is currently no sewer service in that area, but the parcel is in Benner Township which is part of the Spring Benner Walker sewer service area. The closest hookup in the Spring-Benner-Walker sewer service area is up at the airport. They would have to build the line under Spring Creek down hills and under the airport and they would have sewer service if the new development would go with Spring Benner Walker. If they went with UAJA they would have only had to go across the road. There are environmental issues of going under Spring Creek if the sewer line goes to the airport plant. This will also affect zoning.

Spring-Benner-Walker has “x” number of capacity and so does the Borough treatment plant. They share the capacity. They purchased additional capacity from the Borough not too long ago and they are permitted for how much capacity there is in total, which is 3.2 million gallons per day. About a million are not being used right now. They can use that capacity until they get around 80% and then there need to either be a new sewer plant or the existing plant would be expanded, and the cost would be negotiated as to how much each pay for that.

**STREETS** – Point Person, Jon Eaton

### **Consideration of Plans for Relocating Power Lines Underground in the Historic District**

Tosti-Vasey reported on a conversation she had with a resident regarding lighting throughout the Historic District. The suggestion would be to expand the historic-looking lamps that are present in the commercial district to the entire historic district—both commercial and residential. She spoke with staff about this and Stewart said that it may be able to be done but it would involve relocation of all the power lines underground. She wanted to refer this to the Streets Committee to look at the possibility of doing this over the long term. Brachbill would like to see sidewalks in the historic district so people can actually walk around town. Brown reminded Council that nothing was ever considered just on one resident’s suggestion. Tosti-Vasey agreed, but thought it was a good idea to look at it a little broader. She wanted to see if this was even feasible.

### **Sidewalk Repair Ordinance Revisions**

The ordinance revision is in progress with the Streets Committee. Something will be coming back to Council in the near future.

Holderman remarked that he had a 90-year pine tree fall down last week into the road and the Borough crews came out and got it cleared quickly. He thanked the crew.

### **ENERGY AND ENVIRONMENTAL CONSERVATION** –Point Person, Mike Prendergast

Prendergast reported that the pollution ordinance meeting had to be rescheduled. A doodle poll will go out with evening preferences.

### **OLD BUSINESS:**

### **Sponsorship of Spring Creek Watershed Commission Meeting with C-Net**

Stewart reported that it would be approximately \$140 per meeting. There was a memo from Cindy Hahn in the packet. They are asking for two meetings to be sponsored for the year. The money would come from the general fund.

**Brachbill moved to table this issue for budget discussions for 2020;  
Brown seconded the motion;  
Motion failed 6/2**

**Johnson moved to approve \$280 to sponsor the Spring  
Creek Watershed meetings on C-Net;  
Prendergast seconded the motion;**

Hombosky inquired if any of the other municipalities sponsor meetings. Tosti-Vasey stated that yes, they do, and it has been happening for ten years. Bellefonte has never sponsored any meetings. The Borough would not be asked to sponsor again, after this for two more years. C-Net costs for Spring Creek Watershed will be invoiced to the Borough. The averaging would go into the five-year plan and that would determine how much would be paid by the Borough for next year.

The \$17,000 contribution in the letter from Hahn was for C-Net coverage for the Borough's cost. The operations manager for C-Net, Stephanie Hager was in the audience and offered to answer questions. She stated that there are no specific costs and it is an average of usage over the past five years. Increases would only be based on the C-Net budget as it grows. Other municipalities are contributing to meetings which decreases their usage which also helps with others' usage. Multiple municipalities are sponsoring the Spring Creek Watershed meetings.

Motion was amended.

**Johnson moved to sponsor two Spring Creek Watershed meetings;  
Prendergast seconded the motion;  
Motion carried, with one nay.**

### **Meeting Night Change**

**Walker moved to table discussion on the meeting night change due to  
absence of Council members;  
Prendergast seconded the motion;  
Motion carried.**

This issue will be discussed again when all members of Council are present.

### **Hoover 2019 Croquet Tournament Map**

**Brachbill moved to approve the maps;  
Johnson seconded the motion;  
Motion carried.**

## **Hearts for the Homeless**

The house is vacant, and the non-profit is looking to sell the property or transfer the property to another non-profit. It is grandfathered as a group home with long term stay. Stewart stated to the former board member that he wants to see in writing from any new non-profits that may take it over that they understand what the use and zoning is i.e. not meant for short term stays. The items in the front yard are recyclables and they will haul them away when the weather is better.

Tosti-Vasey spoke with one of the neighbors and she stated that she was pleased to see that some of the materials have been removed. The larger items will have to wait. The question was raised whether the Borough staff could move the refuse from the front of the home. Stewart did not want to incur the time and expense to do that.

## **Zoning Map Amendment**

Stewart stated that with the zoning changes made late last year, the zoning map needed to be reprinted. The colors for the zoning areas were changed as well for an easier read.

## **NEW BUSINESS:**

### **Proposal from Downtown Redevelopment on the Armory Property**

Holderman stated that the proposal was at the table to retain the service of this company to try to find a developer to purchase the armory property which is for sale. The IDA discussed this over a teleconference. They are on board with at least the initial part of the study for \$3,500 but since the cost would be borne by the Borough, it needed to be approved by Council.

**Hombosky moved to not approve the retainage of Downtown Redevelopment;  
Brachbill second the motion;**

The prior assessment of the property was discussed. Brachbill wondered why Council would approve something else. Tosti-Vasey stated that the difference between the realtor and the group at hand is that this group specializes in historical properties and redevelopment and has contacts in other areas. The prior assessment was just a realtor that put it on the market. This group would come in and do a community assessment, creating an RFP with the Borough's assistance and get names of potential developers for the parcel. This was not done before.

Brachbill offered that what the property components were not hidden from anyone. He opined that if anyone was interested, they would have already approached the Borough with their interest. Brown did not want to vote on this anyway, without the other Council members at the meeting to vote.

**Brown moved to table this discussion until the other Council members are in attendance;**

Hombosky stated that she trusted Stewart and Wright with their suggestion on this company, but she did not know enough about the project to approve the use of the funds. It should be budgeted for next year, if it is desired to do this. Wilson stated that they are trying to move the property.

He clarified that the IDA thought that it would be easier to move the property if this company did this assessment.

Holderman stated that they would target the property to what the community would want for the property. He offered that when the teleconference was held with the IDA, all of Council was invited to sit in on the discussion.

Holderman also mentioned that it is staff's intent to get Council out to do a tour of the armory property. It will be set up when the weather breaks.

**Hombosky called the question on the motion to table.**

Prendergast would like to look at this again when there is a little more cushion in the budget.

**Prendergast seconded the motion;**

**Roll call vote Brown yes, Hombosky no, Johnson no, Prendergast yes, Tosti-Vasey yes, Walker yes, Brachbill no.  
Motion carried 4/3.**

**Prendergast moved to reconsider this topic after  
the waterfront property settles to have a better idea of  
where the funds stand;  
Walker seconded the motion;  
Motion carried 6 with one nay (Hombosky).**

### **Police Pension Board Meeting**

Stewart stated that this meeting is held annually, and it is in the process of being scheduled.

### **PSAB Municipal Management Priorities Report**

Stewart stated that there was a memo in the packet that the PSAB Municipal Management priorities Report is available. Council members could view the report on the PSAB website. There was some good research in the report.

**PUBLIC COMMENT:** None.

### **ADJOURNMENT:**

With no further business coming before Council,

**Brachbill moved to adjourn the March 4, 2019 Council Meeting;  
Prendergast seconded the motion;  
Motion carried.**

Meeting adjourned at 9:33 p.m.