

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
April 1, 2019 - 7:30 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

5:30 p.m. Energy and Environmental Committee

6:30 p.m. Work Session –

- **Blighted Properties**
- **Request for Municipal Workshop with Bellefonte Borough**

7:30 p.m. Council Meeting

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

The April 1, 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. Melissa Hombosky
Mr. Michael Prendergast
Mr. Jon Eaton
Ms. Gina Thompson

EXCUSED: Ms. Renee Brown
Mayor Tom Wilson

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

GUESTS: Edward Choma
Aissa Illie
Jeannine Luzier
Kevin Lloyd

APPROVAL OF MINUTES:

Eaton moved to approve the March 18, 2019 meeting minutes;
Prendergast 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: Bellefonte Little League Annual Tag Day Fundraiser
Communications: Neighborhood Party request at the 700 block of West Linn Street
Communications: Letter Request from YMCA re: Summer Camp Program

**Brachbill moved to accept the consent agenda;
Walker seconded the motion;**

Tosti-Vasey removed the Little League and the YMCA requests from the agenda.

Motion carried.

Tosti-Vasey inquired about the Little League fundraiser and the lack of detail in the letter. She does not know the time of the event or where the event will take place. Stewart stated that they have done this fundraiser for years. It is a volunteer organization. They usually go door-to-door throughout the community with cans raising funds for Little League Baseball. They usually collect morning until the afternoon. Johnson agreed with Tosti-Vasey regarding having a time frame for this fundraiser. A conditional approval was considered.

**Brachbill moved to conditionally approve the fundraiser pending further information, specifically the hours of the fundraiser from the Little League;
Prendergast seconded the motion;
Motion carried.**

Tosti-Vasey inquired about the YMCA summer camp program. The construction of the restroom at Governor's Park may have already started during this event. Stewart stated that they would have to use the restroom up near the fields. The bathroom project is not scheduled to start until September.

**Prendergast moved to approve the request by the YMCA summer camp program;
Thompson seconded the motion;
Motion carried.**

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Central PA Tasting Trail Event Proposal

Mr. Lloyd discussed the event with Council. Maps were received and a memorandum relating to the events and timeline. Prendergast inquired about the map. It showed two fences but there was only one. The tasting will be on either side of the fountain. Hombosky stated that there are ropes set up with checkers standing at the access point which is funneled through one access. She offered that it will be the same set up as it always has been. She also confirmed that the entire park is roped off. Stewart reminded Council that there was a question of whether the event received approval from Council. Beatlemania is also coming to be part of this event, which will be a very big event. It will bring in more people. The BHCA is working with the tasting trail on this project.

Tosti-Vasey stated that there is no mention in the request letter for set up and break down times. Mr. Lloyd offered that the tents will be installed Friday and taken down Monday morning. All trash will be secured the night of the event.

There is an identification check area and those persons will receive a wrist band that wish to take part in the tasting trail. Wristbands can still be purchased after 6 p.m., but event goers will not be able to purchase bottles after that time.

Sponsorship of the event was discussed. A banner could possibly be done on the High Street bridge. Shuttling in lieu of parking was discussed. Tosti-Vasey mentioned the APS back parking lot might be used for overflow parking. Brachbill also suggested contacting the owners of the waterfront property about allowing parking on their property if the land is not muddy.

**Hombosky moved to approve the tasting trail on June 16, 2019;
Prendergast seconded the motion;
Motion carried.**

Save the Date – Sustainability Expo

The Sustainability Expo at PSU will be held on April 25 from 4:30 to 7 p.m. at State College Borough Building.

ORAL COMMENTS:

Open Streets Event – Extend event to include High Street from Spring to Water

Representatives from the Mount Nittany Medical Center appeared before Council to update them on the Open Streets Event. There is a slight change in their plan for this event. They would like to include High Street from Spring to Water Street to include the karate and dance academy in this event. They provided a draft map to Council. Activities will be set up along the route and the road will be open free for walking, biking, scooters, etc. They are including a ninja warrior obstacle course which is seemingly very popular. There are also some special sponsors.

**Hombosky moved to extend the event from High Street from Spring to Water;
Prendergast seconded the motion;**

The police representative will work with the event coordinators once they get a map. A detour will need to be approved. They will also take care of notifying fire and EMS.

Bike racks were discussed briefly. The roller derby will have an activity booth but not an actual rink.

Motion carried.

LED Light Issue

Ed Choma, 236 E. Bishop Street spoke before Council. In July 2018 he came to the Council about the LED street lights. He was told to wait to see if he could get used to them. He stated that they are still very bright and blasting in his window. He was told to gather some names from neighbors relative to the lighting. He presented a listing of names. He would like to focus on Bishop and Ridge. Delores Broback, James Zimmer, Renee Russo, Kenneth Russo, Gary Peters, Paula Sherman, and Ed Choma and Catherine Momenzadah all complained about the LED lighting at that location.

There is an amber light at Cherry and Badger. He is hoping that there is a possibility to replace the light on Bishop and Ridge with something similar. He also suggested replacing the LED light with one of the older lights. He also suggested replacing the LED with an amber LED light. Also, another option was installing a hood on the LED light to focus the beams down towards the street.

Holderman stated that the hoods can only be placed on the back so that would not stop the back reflection of the light. He indicated that they can look at downgrading the wattage of the light. He will also inquire about an amber light. Holderman confirmed that Choma and neighbors are only looking to change out the light at Bishop and Ridge.

Ownership of the light was discussed relative to the Borough crews trying to put a shield on the light. There are liability issues, per Stewart.

SPECIAL COMMITTEE REPORTS:

Spring Creek Watershed Commission

Tosti-Vasey stated that the SCWC met on March 20. They had a good presentation from Jason Deter, executive director of the regional Fish and Boat Commission. His presentation will be available on the SCWC Atlas for the public.

The SCWC report was discussed as well. The final vote was delayed. Subsequently on March 26, the technical committee group met and created an ad hoc committee to craft a fact sheet based on the comments from the municipalities, authorities and planning commissions. The final vote on creating a plan is going to be delayed so that all entities involved can more clearly understand the process.

The Benner Township Spring Creek overlay district was discussed. Benner has decided to keep the overlay district and the conservation language in their ordinance. A vote was delayed and no date is set for that vote. The public hearing was not mentioned.

Bellefonte Fire Department Executive Committee

A meeting was held on March 28. Discussion was held relative to three grant submissions and the borrowed engine will be returning from Windber. Their apparatus has been repaired. Chapter 35 was discussed and Holderman will make some changes and it will come back to the May 23 meeting.

Nittany Valley Joint Planning Commission

The commission did not have quorum. Meeting was not held.

Cable Consortium

Meeting was cancelled; they are awaiting Comcast. Bellefonte will be added to the potential list of places requesting a remote access point so that there is no lost opportunity to do live airings if Council wishes to do that. There will not be a vote to change the meeting date. That is off the table.

A Comcast audit is in draft form and is part of the negotiations. That is going back and forth to Comcast as well. The next meeting is in May, 2019.

MAYOR'S REPORT:

DCED Multi-Modal Grant Award – Waterfront

The Borough was awarded the grant for the waterfront development. The grant was in the amount of \$941,824.00. The local match will be provided by the development group and not the Borough. This is a pass-through grant to assist with the development project.

Stewart thanked Rep. Kerry Benninghoff and Senator Jake Corman for their assistance on this grant. Without their help it would not have happened. If everything goes as hoped, the BAIDA will close on the property April 22, 2019. Stewart stated that the Borough is very excited about the future of this project and what it will do for downtown Bellefonte.

Parking at Dominos

Sgt. Jason Brower of the Borough police spoke to Council. He works primarily during the evenings. A letter was sent to Dominos. Tosti-Vasey stated that there are two parking spaces that are supposed to be for the public to pick up pizza; there is a 15-minute limit and you must use flashers. Every time she has gone by, Dominos cars were parked there with no flashers. The public has no place to park and grab their pizza and get home.

The problem could stem from the amount of delivery cars they have. They have about 6-8 vehicles. They run all night. Ticketing is an option. Stewart stated that the delivery cars seem to be parked there not just waiting to get their deliveries but perhaps 30 minutes, etc. waiting for the next call. Chalking the tires to see if the vehicle was moved is an option but it may be difficult.

Tosti-Vasey stated that she sees the Dominos vehicles parked there all times of the day. Holderman remarked that he sees them in the evening. The chalking may be difficult to monitor and can only be done some of the time since there are only two officers on during the evening. Johnson opined that if the flashers are not on – ticket the vehicle. Brachbill stated that they were allotted two temporary parking spaces for pizza pickup and that these spaces are designated as flashers on spaces only for a maximum of 15 minutes. If the business has two spaces, they should use those spaces and if they have additional drivers then they will need to circulate until a space frees up. The owner of the business needs to have some responsibility in this.

There have been customer complaints. The public cannot park to get their pizza because the delivery drivers are parked there 100% of the time, per Tosti-Vasey. Parking at the rear of the building is for residents of the Garmin only. Customers without four way flashers turned on in these two temporary parking spaces may also be ticketed to be fair to both.

OFFICE OF COMMUNITY AFFAIRS:

ZONING/PLANNING: Nothing to report.

HARB: Nothing to report.

DBI Report

Shannon Wright wrote letters to Sen. Corman and Rep. Benninghoff and in her absence at the Legislative Day event, Tosti-Vasey will be going in her place. She has the letters and the resolution passed at the last Council meeting. This will be held on April 8.

HARB meeting minutes March 26, 2019 Draft

Mr. Prendergast mentioned Mrs. Schwartz' roof. He mentioned also that there does not seem to be a HARB submission for the cellar entry for the museum. It looks out of place. Stewart will bring this back to the HARB administrator.

BUILDING AND PROPERTY – Point Person, Anne Walker

EV Charging Station Installation

Weather permitting, the EV charging stations will be installed next week. The process has already been started as well as line painting.

Blighted Property Ordinance

Tosti-Vasey mentioned discussion about a blighted property ordinance. Council decided that they would like to look at the creation of an ordinance. She deferred this topic to the building and property committee for review.

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

Finance Committee Meeting Scheduled for April 4, 2019 at 6:30 p.m.

Current versus Actual will be discussed. Stewart offered that if any Council members have any questions to let the committee know. Lori Walker will be at that meeting to answer questions.

PARKS AND RECREATION – Point Person, Melissa Hombosky

Project Update

Hombosky updated Council on the park's projects. The second set of steps on the bridge have been completed; the fishing pier for ADA and family access at Masullo Park will be started soon; Governor's Park Restroom renovations will happen in September; the start date for the pedestrian walkway in Talleyrand will begin in the next two weeks; the security camera installation in Talleyrand will begin this week. Mr. Joe Menna was hired to work as a seasonal employee for parks department at Governor's Park.

The Governor's park ball field that Bellefonte High School will be using was discussed briefly by Holderman. One of the roofs needed to be repaired in one of the dugouts.

HUMAN RESOURCES – Point Person, Renee Brown – Nothing to report.

SAFETY – Point Person, Randy Brachbill

Safety Committee Meeting

A proposed EMS ordinance will be passed on to the finance committee to review the payment installments to Bellefonte EMS. An ordinance will be done in lieu of a memorandum of understanding

WATER/SANITATION – Point Person, Doug Johnson

Leaf Truck Ordered – will not see it until December

Stewart stated that the truck was ordered from Costars. The Borough received a grant for this truck. The timeline is by the end of the year. The existing truck works well and the new one will compliment what the Borough already has in its fleet.

Working on RFP for asphalt pad at composting site

Stewart stated that this pad is also related to the recycling grant. This will get underway as soon as possible.

Executive Session of the Bellefonte Water Authority - 6 p.m. April 2, 2019. At 7 p.m. the Authority will continue their regular public meeting.

April 3, 2019 is the leaf pick up. This is one time only. Rake leaves to the curb. April 3 is also the first day for brush can collection.

Stewart reminded residents that anyone can stop by for a key to the compost facility during business hours. The facility is also open Saturday morning from 8:30 a.m. to 11:45 a.m.

Holderman mentioned that the newsletters will be going out soon and all news on refuse, etc. will be in the newsletter.

Brachbill offered that the Centre County Recycling will do a hazardous waste collection event in April.

STREETS – Point Person, Jon Eaton

Mr. Eaton thanked the streets crews for blowing the cinders from the grass on his street back into the road.

Railroad Street Bridge Replacement

The bridge will be replaced with the partnership of the County for \$1.5 million. There was a press conference held and Stewart and Tosti-Vasey attended. The County celebrated the receipt of this grant to repair the bridge. The County put up funding for the match to make this possible. The Borough thanked the leadership and the commissioners for going out and looking at this bridge and putting it on the list. Howard Borough also received a grant. They are contributing about \$30,000 of their streets money to match their grant.

Stewart asked Council to consider a contribution towards the rail road bridge project. The project will most likely happen in 2021. A temporary bridge will need to be put in while the work is being done. The original bridge was installed in 1925. The construction will be discussed at the finance meeting.

Stormwater Engineer Report (D. Franson) – Parkwood Drive

The report was received by the Borough. He addressed the localized flooding at Parkwood and both options considered will not mitigate the issue. Another form of corrective action will need to be taken to address the local flooding. Stewart added that the mitigation would have to go past Summit Drive. Putting a pipe under the road will create a dam because the road will be built up.

Brachbill discussed the smaller pipe considered and inquired about two smaller pipes to equal the larger pipe. The report said that an 18-inch pipe would work for less frequent storms. Cost may become an issue on this project. The water would need to be run past the Teener Field into the woods and down to Spring Creek and was a natural swale at one time.

Tosti-Vasey recommended a meeting with the Street Committee and Don Franson to clarify some questions.

ENERGY AND ENVIRONMENTAL CONSERVATION –Point Person, Mike Prendergast

Air Pollution Ordinance

This ordinance was discussed prior at a committee meeting. Prendergast would like to have the Bellefonte Planning Commission review zoning ordinance to limit the areas for crematories and incinerator usage in only the heavy industrial areas to be sure that it is out of residential. Stewart said that they are looking to the Planning Commission to look at modifying where the use is located and possibly putting uses into heavy industrial zone of the Borough. The committee will continue work on this ordinance.

**Prendergast moved to request that the Planning Commission review the zoning ordinance regarding definitions and limiting the locations of incinerators and crematories to the heavy industrial areas;
Thompson seconded the motion;
Motion carried.**

OLD BUSINESS:

Plowing of Molasses Hill (N. Allegheny)

Stewart stated that he spoke with the Spring Township Manager regarding to the plowing issue that was raised on North Allegheny Street. Per his memo, it is a third area that Spring covers on their plow route and they did not see it as a problem. They are not interested in any intermunicipal agreement at this time.

HBI Chain Saw Demo

Stewart discussed the chain saw demo listed as an HBI event roster in August. With insurance and liability, the Borough checked on the event and the insurance company recommended against this event. There were too many concerns. This was brought to the Borough's attention as a separate line item from the Arts and Crafts festival.

Stewart stated that if this event occurred in the past, it was not a separate line item asking for direct permission. HBI was going to look into event insurance, but unless something changes, Stewart recommended to Council not to allow the chain saw carving. The chain saw carvers would be permitted to sell things that they already created but they could not do a live demonstration.

Tosti-Vasey clarified that a motion would be needed to allow a chain carving exhibition at the HBI Arts and Crafts Fair on August 2, 2019.

**Hombosky moved to allow HBI to hold a chain saw carving demonstration provided they have the insurance;
Brachbill seconded the motion;**

Tosti-Vasey inquired about what type of insurance that would be required. Hombosky stated that it is HBI's business to provide Council with insurance information that they are covered. Likewise, Stewart interjected that the Borough's insurance agent is telling Council that it is not recommended. It is "hazardous operation that could pose a risk for participants and bystanders additionally the participants would be outside of the Borough's control and difficult to manage for the untrained and inexperienced." Brachbill offered that if someone is giving a demonstration, he would not think they were untrained or inexperienced. Stewart commented that that is not known and that is the issue.

Johnson offered that the demonstration was a good idea, but he understood Stewart's position. Stewart recommended that it be done on private property or perhaps the fire company wherein someone else would have to cover the liability and not put the Borough at risk.

Stewart reiterated that the carving event was brought as a separate line item this year and the insurance agents have spoken on the matter. HBI was given a heads up about the chain saw carver.

Roll call motion: Hombosky, yes, Johnson, no, Prendergast, yes, Thompson, yes, Tosti-Vasey, no, Walker, no, Brachbill no, Eaton, no.

Motion failed (3/5).

Johnson would support the event if HBI comes back with separate liability and if it is proven to the Borough as such and if the Borough insurance looks at the provided insurance and agrees that the Borough has no liability in it.

Thompson mentioned that the email from the Borough to Sally Houser, HBI, did not contain much information about the event. Stewart stated that he thought that Houser may have spoken with the Borough insurance company as well.

Set up meeting re: Police Review Commission – Johnson

No progress at this time.

Resolution to Borough's Association

A change was made taking off a line no. 1, "creating a uniform streamlined process for municipalities that work to eliminate blighted and abandoned properties" and keeping item no. 2 regarding getting additional funding.

Tosti-Vasey stated that that was removed because Act 90 was passed a few years ago and the state legislation process are creating and sending model ordinances to follow addressing that line item. The second comment is to provide funding for municipalities working to eliminate these properties and will help with legal cost that would be incurred.

Brachbill moved to move the resolution forward to the Borough's Association;
Prendergast seconded the motion;
Motion carried.

NEW BUSINESS:

Ordinance review and update (10 per year)

Stewart discussed going through the codified ordinances and updating what needed to be updated. Some of the ordinances may be out of date. Tosti-Vasey wished to create an ad hoc committee and start at the top of the chapters and review and determine if an ordinance needed to be updated. The particular committees would take over reviewing and making recommendations for updates. If there is not a relevant committee, the reviewing committee will craft a new ordinance.

Holderman stated about 5-6 years ago, an exhaustive review was done of the ordinances. Some were left to review at a later time. There are about 60 ordinances and Holderman believed only 5-10 would need updating. The ad hoc committee will consist of Brachbill, Johnson and Tosti-Vasey.

Borough New Phone System – asking for patience if you are unable to get through

Stewart stated that the phone system was upgraded. He asked for patience from the public when calling the office. Holderman stated that it is an improvement.

PUBLIC COMMENT: None.

ADJOURNMENT:

With no further business coming before Council,

Brachbill moved to adjourn the April 1, 2019 Council Meeting;
Prendergast seconded the motion;
Motion carried.

Meeting adjourned at 9:09 p.m.