

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
November 18, 2019 - 7:30 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

6:30 p.m. WORK SESSION

- General, Water, Sewer Funds Budget Discussion

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

The November 18, 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. Jon Eaton
Ms. Melissa Hombosky
Mr. Douglas Johnson
Ms. Anne Walker
Ms. Gina Thompson
Mr. Michael Prendergast
Mr. Randall Brachbill
Mayor Tom Wilson

EXCUSED: Ms. Renee Brown

OFFICIALS PRESENT: Mr. Donald Holderman, Ass't Borough Manager
Mr. Ralph Stewart, Borough Manager

GUESTS: Debbie Cleeton
Louwana Oliva
Carla Conklin
Ted Conklin
Derek Sherman

APPROVAL OF MINUTES:

**Brachbill moved to approve the November 4, 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).

Mayor: *Public Exonerations*
Mayor: *Police Exonerations*
Finance: *Voucher Summary October 2019--\$1,831,778.90*
Finance: *Treasurer's Report October 2019*

**Prendergast moved to accept the consent agenda.
Brachbill seconded the motion.
Motion carried.**

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Email Request re: Summer Craft Beverage Expo 2020

Organizer would like to reserve Sunday, June 21, 2020 for the expo. They will come back later with more details.

**Prendergast moved to approve reserving the date of June 21, 2020
for the Summer Craft Beverage Expo, with more details
coming back to Council at a later date.
Thompson seconded the motion.
Motion carried.**

HazMat Training Flyer

There is HazMat training at 1 p.m. and 6 p.m. on Tuesday November 26, 2019 at Station 82 Building in Pleasant Gap. This is HazMat and NIMS training that elected officials are required to receive.

Bellefonte Cruise Donation Check

The Borough has received \$1,500 from The Cruise which will be used for the Borough to purchase bike racks. Stewart thanked The Cruise Committee for donating the funds. Tosti-Vasey thanked Pat McCool and Sally Houser. Four additional bike racks will be purchased.

Letter re: Spring Creek Water Resources Monitoring Project

A thank you letter was received for the Borough's support of the water resource monitoring. They also provided a copy of the annual report.

Campus and Community Sustainability Expo

The Penn State Sustainability Expo is Wednesday, December 11 from 4:30 to 7:30 p.m. at The Days Inn off of Pugh Street.

Letter from CC Planning and Development re: Zoning-Land Use and Fair Housing

Information was provided to the Borough on Zoning, Land Use and Fair Housing. It will be made available in the office for anyone that is interested.

Article re: Scam Targeting Seniors

2020 Reorganization Meeting Tips

Email re: Newly Elected Municipal Officials Boot Camp

This is a program through the Borough's Association. Holderman and Stewart will be doing some of the sessions and they would be willing to do a condensed version for Borough Council members in Bellefonte.

FYI – Happy Valley Adventure Bureau – TV Commercial Tech Scout

The Bureau are looking for filming opportunities in Bellefonte. The Borough has given them permission and directed them to contacts for other nearby locations.

Letter re: Small Business Saturday

November 30, 2019 is Small Business Saturday in Bellefonte. There was a request from DBI, Inc. to have free parking that day as well for the entire day.

**Eaton moved to approve November 30, 2019 free parking
in the Borough for Small Business Saturday.
Walker seconded the motion.
Motion carried.**

The police will be notified, per Wilson.

Letter from Anti-Defamation League re: Holiday Season

Letter reminding the Borough about religious images and displays on public property.

Thank you Note re: Hometown Hero Banners

The committee sent a thank you to the Borough for their assistance and thanked Matt Auman and the crews for helping with hanging the banners.

CCMPO Technical and Coordination Committee Appointments 2020-21

The appointments will be done for 2020-2021 years. The Nittany Valley Region needs to reappoint existing reps or reappointment new ones. Johnson wished to move from alternate to a regular position as he believed that representation should be rotated. Rotation will be discussed at their next meeting. Stewart stated that rotation was the intention.

Request for a 5K Fundraiser Race – Governor’s Park

The request is for a 5K run on May 2, 2020 in conjunction with the Ethel Beaver Fund. A certificate of insurance will be required with the Borough named as an additional insured.

**Eaton moved to approve the race on the condition
that a certificate of insurance is provided naming the
Borough as an additional insured.
Johnson seconded the motion.
Motion carried.**

ORAL:

CATA Presentation – Louwana Oliva, General Manager

Louwanna Oliva appeared before Council to update them on CATA operations. Ridership for the year (ending June 2019) was up 3% on the XB route. 39% of all XB trips originated in Bellefonte. 32% were getting off in Bellefonte. The XG route touches sections in Bellefonte is down about 5%.

The local match for Bellefonte for the year starting July 1, 2020 is \$26,451 and that includes an operating local match of \$2,064 and an increase in capital local match of \$152.

CATA requested that the PennDOT resolution be returned by the end of the year so that regulations are met.

Derek Sherman updated Council on the micro transit program. The program is like an Uber ride-sharing service but will involve vans to see if this is a better service for the Borough. He invited

members to the ribbon cutting on January 8, 2020 in Bellefonte for the program. The first van will run on January 11. The website and test site are done. Everything is on schedule. CATA is hiring part time drivers for this program. Training started on November 14.

Waterfront Business District

Carla Conklin spoke with Council relative to zoning concerns with the waterfront business district. She has been a resident for many years and offered a statement regarding the zoning changes. The current waterfront district runs a few hundred feet on both sides of Spring Creek.

Conklin discussed the William Thomas house. There are two houses within the building. The Thomas house had a long history of multi-family use. Her husband, Ted Conklin, purchased the house and it had seven apartments in use at the time. They had a goal to turn it back into the original two separate residences.

She also discussed the Colby property. The potential of that home is similar to the William Thomas house. She would like the current uses in the waterfront district to include, single family, multi-family and bed and breakfast. She requested Council to devise a way to allow them to use their properties as they were meant to be used, or as bed and breakfasts.

Stewart thanked her for her input. There will be a public hearing on December 2 regarding the proposed amendments to the waterfront business district. He stated that none of the revisions proposed thus far have anything to do with residences, or bed and breakfasts. He offered to meet with Conklin regarding her concerns. He believed that her concerns are already addressed in the zoning ordinances.

Centre Crest

Tosti-Vasey received another concern about what will happen with the Centre Crest building once they move out. Tosti-Vasey explained that there were previous ordinance amendments that occurred for that property and others in the area. The complainant would like to bring the county offices back from Corning and perhaps see an intermediate care unit. He was unhappy with the donations of the Commissioners to the building in Benner Township.

Tosti-Vasey offered that perhaps in the new year, an ad hoc committee can be formed to start discussions on the future plans of the Centre Crest building. Brachbill opined that the County needs to come to the Borough and let the Borough know what the plans are and if it fits the zoning.

SPECIAL COMMITTEE REPORTS:

Centre Region Code Comparison of Monthly Code Stats October 2019

Workplace Safety Committee Meeting Minutes November 13, 2019 DRAFT

IDA Meeting Minutes November 13, 2019 DRAFT

Civil Service Commission Meeting November 14, 2019 – police officer list of three

An update was provided by Brachbill on the tabulations of each of the police candidates. After one is chosen, the remaining candidates stay on the list for one year. There were three types of tests issue, written, oral and physical fitness. The physical test was pass or fail.

Chief Weaver discussed the candidates and filling the vacancy with Macy Neideigh. She was first on the list. He also recommended that an officer from the list be selected to be the next part time officer in place of Ms. Neideigh, the current part-time police officer. The start dates will be as soon as possible.

**Johnson moved to make the offer to the No. 1 candidate.
Prendergast seconded the motion.
Motion carried.**

**Brachbill moved to approve a part-time position
to fill the opening.
Johnson seconded the motion.
Motion carried.**

Centre Area Cable Consortium (CACC) Meeting November 18 update

Tosti-Vasey updated Council members on CACC. There was a meeting held today at noon and there is an agreement with Comcast. There were four major changes:

- Increase in remote origination points
- Possible reduction in courtesy access for public buildings. The fire department and schools who get free service may have to reduce or start paying for the service. This has not been finalized yet.
- There will be an increase in the capital grant fee to C-Net which helps maintain the programming and infrastructure of C-Net. The Borough will keep the franchise portion which is 5%. The capital grant money will go to C-Net. The addition of an HD channel. This change would require C-Net to hold three hours per day for five days a week of new broadcasting.

The new contract was unanimously agreed to. The CACC has some remaining funds left over which will remain in the account for possible legal fees associated with a pending FCC ruling regarding cable companies taking money out of the franchise fees. That is not permitted at present.

The franchise agreement and ordinance will be scheduled for public hearing on December 16, 2019. It will be done by the end of the year. No changes can be made to this ordinance.

**Prendergast moved to schedule a public hearing on December 16, 2019 for the franchise agreement and ordinance.
Thompson seconded the motion.
Motion carried.**

The agreement will be posted to the Borough website.

The potential changes in courtesy services will affect all municipalities, not just Bellefonte. Brachbill was opposed to this change although there was nothing that could alter the this contract.

Centre County Borough's Association Meeting of November 7 draft minutes and approved bylaws, update

Tosti-Vasey was appointed President, Phil Winchell from Howard, was appointed Vice President, Gina Thompson was appointed Treasurer and Raymond Shadel from Milesburg was Secretary.

Brachbill was appointed board member and Tosti-Vasey was appointed policy and resolutions member. By-laws were approved.

Complete Count Committee Update

Wilson and Tosti-Vasey are working on this together. Wilson updated Council on the status. There were two meetings held thus far. There are thirteen persons on the list that are targeted to help get the Census word out. They were invited to the meetings. There are seven that have so far been active in the meetings.

November 19, Wilson, and Tosti-Vasey will meet with the Centre County Complete Counts committee at the Willowbank Building. The purpose of the Complete Counts committee is to reach out to underserved groups and encourage people and educate people why the Census is necessary and important.

Videos will be considered for the meeting. Wilson asked people to speak with people they know about the importance of completing the Census. The next meeting will be in January.

MAYOR'S REPORT:

Wilson offered that there were a few tickets exonerated. These were due to signage. He spoke with the police department and it appears that people are not seeing or realizing that there are kiosks in the parking lots.

Generally speaking, signs are missed and are not read. Wilson asked that the signs be reviewed and to see if there are improvements that can be made.

The fifteen-minute meters were discussed briefly.

Wilson also thanked the residents for coming out for the Veteran's Day Ceremony at the courthouse. He thanked everyone that putting the event together. He also thanked the local Hometown Heroes committee. There was a great turnout.

OFFICE OF COMMUNITY AFFAIRS –

ZONING/PLANNING:

Waterfront Developer's Preliminary/Final Subdivision Plan

This was recommended for approval by the Planning Commission with condition that County comments be incorporated into the plan.

Brachbill moved to approve the plan.
Johnson seconded the motion.
Motion carried.

Waterfront Developer's Preliminary Land Development Plan

Stewart discussed Planning Commission's recommendation on the plan. The lot lines changed just a bit from the previously approved plan. Planning Commissioners wanted to be sure that any County comments be incorporated.

Once everything is finalized, a final plan will be presented for recommendations and approval.

Johnson moved to approve the preliminary land development plan.
Prendergast seconded the motion.

Stewart stated with preliminary approvals, the developer can move forward with a final design. Any major changes will have to go back to Planning Commission.

Motion carried.

Planning Commission Meeting Minutes November 12, 2019 DRAFT

Stewart stated that PC is still working on the short-term rental issue and they do have ideas on how the language should be amended. They asked that the ordinance be reformatted and discussed at the next meeting.

PC also reviewed the electric scooters and electric bicycles article. They will review the ordinance in the next couple of meetings.

HARB:

Certificates of Appropriateness:

160 Dunlap Street (Gamble Mill) (exterior changes to windows and doors and brick and mortar repairs and painting)

Prendergast moved to approve the certificate of appropriateness for 160 Dunlap Street for storm windows, doors, brick, and mortar repairs and paint.

Johnson seconded the motion.

Tosti-Vasey recapped the proposed upgrades as she was at the meeting. They will replace the front door with either a single or double glass door and replace storm windows for efficiency. They will open up the door system for transparency through the building. They will use some old bricks to replace what is there that needs work. Paint scheme is a black and gray.

Hombosky abstained from voting.

Motion carried with one abstention.

HARB Meeting Minutes November 12, 2019 DRAFT

BUILDING AND PROPERTY – Chair, Anne Walker

No report.

FINANCE AND GOV'T PERFORMANCE, Chair, Gina Thompson

Current v. Prior October 2019

Budget v. Actual October 2019

Budget v. Actual Summary October 2019

The CDBG figures were discussed briefly.

Consider selection of proposal for Auditing Service

Auditing proposals were submitted, including one from the current Borough Auditor. Finance committee is recommending staying with Young, Oaks and Brown, the current auditor.

**Eaton moved to approve the selection of Young, Oaks and Brown as auditors for the next five years.
Brachbill seconded the motion.**

Brachbill offered that there was no issue with the current auditor and the Borough just wanted to make sure that the Borough did their due diligence. It worked out that they will remain the same auditor.

Motion carried.

Next Finance and Government Performance Committee meeting – Tuesday, November 26, 2019 at 10:30 a.m.

PARKS AND RECREATION – Chair, Melissa Hombosky

Recommend approval of the Amendment to Chapter 405 Parks and Recreation Areas Ordinance

**Hombosky moved to approve the amendments to Chapter 405 Parks and Recreation Ordinance.
Walker seconded the motion.**

Brachbill inquired about item P regarding alcoholic beverages in the park. He suggested an add on to the end of that section, requiring Borough permission. This will cover special events.

**Brachbill moved to add the wording “without permission by Council” to the end of Section P.
Johnson seconded the motion.
Motion carried.**

Johnson offered that in Section T, the ordinance states that no person or group shall engage in a baseball or a softball game or in a practice except on the playing fields designated for such purposes. He stated that in the past the Borough has permitted a little league team practice on the open space on a special occasion. He inquired if this was something that would need a by permission clause as well.

**Prendergast moved to add the by permission language to Section T.
Thompson seconded the motion.
Motion carried.**

Eaton offered a revision to the General Regulations section. He suggested changing “two wheeled vehicles” to “two wheeled motorized vehicles.”

**Eaton moved to revise the first sentence to say
“No two wheeled motorized vehicle shall be permitted
within the confines of a park unless it is properly
licensed and registered within the Commonwealth
under the motor vehicle code.”
Thompson seconded the motion.**

Eaton made the motion due to a personal experience (not in Bellefonte parks).

Brachbill inquired about the licensing language. Eaton stated that would not permit minibikes in the parks.

Motion carried with one nay.

With no further comments, Council voted on the entire motion.

Motion carried.

On November 7, 2019, Hombosky traveled to Dubois to the PA Wilds annual celebration. DBI, Inc. received an award for Bellefonte Under the Lights. (applause). It included proclamations from both the U.S. and Pennsylvania House and Senate and a letter from the Governor’s Office.

Bandshell Project

Wilson inquired about the bandshell at the far side of Talleyrand and would like to see this project started in the Spring. He asked for a motion to move forward with this project.

**Brachbill moved to move forward on the bandshell project.
Hombosky seconded the motion.**

There is nothing in the 2020 budget for this. Wilson would like to put it out for bid and use the design previously reviewed. Holderman stated that there would need about \$100,000 to do the project.

Stewart inquired about restroom and the hiring of an engineer to plan this out. That will take extra funding as well.

Wilson will attempt to get private funding for the bandshell. If he cannot raise the funds, then the project will not be done. Stewart reiterated that the Borough has a zero-dollar commitment. Brachbill suggested an ad hoc committee to look into this.

Restrooms are needed on that side of the park. Tosti-Vasey recalled the Liberty Swing being paid for with donations. She offered that the motion should be amended. Eaton inquired who would be responsible for maintenance after the shell is constructed.

**Prendergast moved to look into the bandshell project with the understanding that there will be no monetary commitment from the Borough.
Walker seconded the motion.
Motion carried.**

HUMAN RESOURCES – Chair, Renee Brown

Volunteer Positions for Authorities, Boards and Commissions (ABCs)

Stewart discussed the openings on the ABCs and notified the residents that there are volunteer positions if interested. Tosti-Vasey stated that there is an alternate position on the Zoning Hearing Board, the Shade Commission will expire 2022 and Planning Commission has two openings with differing end term dates, one in December 2021 and one in December 2023.

There is a volunteer application that would need to be completed if interested, even if the volunteer is already a member of an ABC.

Planning, Zoning and HARB part time position-borough accepting applications

Stewart discussed the opening for a part part-time to Planning, Zoning and HARB.

Brachbill discussed Centre Region Code taking over the Borough's Zoning. Some members were not in favor but were up to discussing the topic. The property maintenance code also needs to be renewed with Centre Region Code, per Brachbill. This will be discussed under Safety.

SAFETY – Chair, Randy Brachbill

Bellefonte/Centre Region Building Safety and Property Maintenance Code Ordinance Rev. 2019

Brachbill stated the ordinance was advertised and was up for approval.

**Brachbill moved to approve the Building and Safety
Property Maintenance Code, Ordinance No. 11182019-01.
Prendergast seconded the motion.
Motion carried.**

WATER/SANITATION – Chair, Doug Johnson

Benner Township Water Authority v. Bellefonte Borough et al adjudication

In 2016, the Benner Township Water Authority filed an appeal of the DEP issuance of a permit for the Borough's biosolids program. The program was started in the early 1990s with no violations from day one. Stewart stated that Benner Township Water Authority filed for an

appeal on a new farm that the Borough was going to apply the biosolids. There was an existing customer right next to the appealed farm. There have been no issues.

The mediation hearing was set up in Williamsport and the goal was to settle. Benner Water Authority did not uphold the agreement at the mediation. They kept pushing towards court action. The Borough again tried to settle this case to save on taxpayers spending money on this lawsuit. In January 2018, a hearing was held in Harrisburg and the DEP staff appeared as witnesses. Benner had an expert witness. At the end of the day, the five-judge environmental hearing board decided in the Borough's favor.

Stewart wanted to make it known that the Borough tried to settle this before it went to court but it did not happen. Johnson reiterated that Benner kept moving to the next level and it cost the Authority a lot more money than it should have.

Water Main Break on South Water Street – traffic detours

There was a water main break on South Water Street which tied up traffic. Unfortunately, it was the main street that went through town. A detour was instituted as it was unsafe for crews to work in the roadway at night with very little lighting in that area. The road was opened later the next day and there was a subsequent closing several days later for patching of the road.

Stewart reported that everything is temporary and in the spring some resurfacing will need to be done. Even though it is a state road, the Borough was responsible for the repair because the water line broke.

Water Withdrawal Report October 2019

Authority Meeting Minutes November 5, 2019 DRAFT

Refuse Containers

Johnson would like to address the containers at the diamond sitting out at 5 p.m. on Sunday in the center of town. The Monday morning refuse route requires residents and businesses to put trash out the night before. Stewart stated that there is also concern about the storage containers from some of the restaurants and making the downtown area look more presentable. This will go through the committee for options.

Brush/Grass

November 20 is the last day for brush/grass containers. Leaf collection will continue weather permitting until the first week in December.

November 23 is the final day for the Musser Lane compost area. Residents can still pick up a key to the gate from 8 a.m. to 4 p.m. Monday through Friday. A \$10 deposit is required. Each municipality would go to their own individual office for the key.

Thanksgiving week, if refuse is picked up on Thursday, that collection will be bumped to the Wednesday, before, November 27, 2019.

This information will be on the website.

STREETS – Chair, Jon Eaton

Street Related Issues

Tosti-Vasey offered that she received two complains from Half Moon Hill with concerns about West High and West Lamb Street. Both streets need to be repaved and someone needs to look at the specific areas in need. A walk thru by the committee may be needed.

Additionally, the lack of sidewalks coming down Lamb Street towards town was a concern. It is dangerous to pedestrians especially in the winter. The resident inquired about perhaps installing a sidewalk where there is a safety concern for pedestrians.

This will be referred to the committee.

Consider Committee Meeting – continue consideration of the new parking meters

A doodle poll will be sent around to discuss the new parking meters to avoid price increases in the purchase of the meter heads that is expected in the new year.

Old Parking Meters

Thompson offered that Milheim Borough is interested in purchasing our old parking meters. They can be sold straight up or placed on Municibid, per Stewart.

Sidewalk Ordinance

Brachbill inquired if the sidewalk ordinance will still be worked on. Eaton stated that it can be revisited next year. The parameters were discussed. Enforcement was discussed. Brachbill was concerned that a lot of time was spent on working on the ordinance and nothing was ever done. He asked that the committee continue to work on the ordinance. Eaton stated that parameters need to be clarified on what the construction of pervious sidewalks would be.

ENERGY & ENVIRONMENTAL CONSERVATION – Chair, Mike Prendergast

Spring Sustainability Projects Partnership with Penn State

The police department renovations, shade tree survey and a project related to Spring Creek will be done, per Tosti-Vasey. There may be a meeting at the police department regarding the renovations, per Holderman. Additionally, an intern was offered to the Borough for a project that Penn State would pay for. The committee would need to discuss this first. A doodle poll will be done.

OLD BUSINESS:

Resolution – Strategic Management Program (111819-01)

This is the resolution for the grant for 50 percent matching funds for the economic review project.

Brachbill moved to adopt Resolution No. 111819-01 authorizing the Borough to undertake a project under the STMP program. Thompson seconded the motion. Motion carried.

Request approval of CATA Local Match Share Agreement and Resolution

The CATA operating fund amount for the Borough is \$23,012.00. The capital fund amount is \$3,439.00.

Brachbill moved to approve the CATA local match share Agreement and accompanying resolution setting forth the monetary amounts for the Borough's cost and timing of payments. Prendergast seconded the motion. Motion carried.

NEW BUSINESS:

Legal Opinion re: RACP Application Documents/cooperation agreement

(This item was discussed in Executive Session – Legal)

New Council Members

Wilson congratulated two new Council members – Deb Cleeton and Gina Thompson. Tosti-Vasey and Johnson were re-elected.

PUBLIC COMMENT:

Nothing presented.

ADJOURNMENT:

With no further business coming before Council,

Prendergast moved to adjourn the November 14, 2019 Council Meeting. Thompson seconded the motion. Motion carried.

Meeting adjourned at 9:40 p.m.