

BELLEFONTE BOROUGH COUNCIL
MEETING MINUTES
August 17, 2020 - 7:30 p.m.
236 West Lamb Street, Bellefonte, Pennsylvania 16823
www.bellefonte.net

WORK SESSION:

- 7 p.m. Financial Condition Review

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

The August 17, 2020, virtual meeting of the Bellefonte Borough Council was called to order by Ms. Joanne Tosti-Vasey at 7:30 p.m. Pledge of Allegiance was followed by a moment of silence.

ROLL CALL:

MEMBERS PRESENT (via Zoom):

Mr. Randall Brachbill
Ms. Debbie Cleeton
Ms. Joanne Tosti-Vasey
Mr. Douglas Johnson
Ms. Anne Walker
Mr. Jon Eaton
Ms. Melissa Hombosky
Mr. Michael Prendergast
Ms. Gina Thompson
Mayor Tom Wilson

OFFICIALS PRESENT: Mr. Ralph Stewart, Borough Manager

All votes taken will be recorded as unanimous when there is no audible opposition.

APPROVAL OF MINUTES:

Eaton moved to approve August 3, 2020 meeting minutes.
Cleeton seconded the motion.
Motion carried unanimously.

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).

<i>Mayor</i>	<i>Police Report July 2020</i>
<i>Finance</i>	<i>Invoice from Stover McGlaughlin</i>
<i>Finance</i>	<i>Treasurer's Report July 2020</i>
<i>Finance</i>	<i>Voucher Summary July 2020</i>

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

REGULAR AGENDA:

COMMUNICATIONS:

WRITTEN:

Bellefonte Moose Lodge Rubber Duck Race 2021

The race has been canceled for this year, but they propose to reschedule it for Saturday, September 4, 2021, from 1-3 p.m. Tosti-Vasey would like to tentatively hold the date for them and ask them to resubmit the request in the new year so that the Council can review Covid-19 issues if necessary.

Email re: Watermarke Church re: Talleyrand Park Event

The church has canceled their event and would like to reschedule for May 2, 2021. The same action was taken regarding this event as the duck race.

Email Request from Care for People re: Banner on Veterans Bridge

The event would like to hang a banner on both sides, to recognize a job fair that they are having as an upcoming event.

**Brachbill moved to conditionally approve the request for banners on the bridge from August 24, 2020, through September 9, based on proof of non-profit status.
Cleeton seconded the motion.**

Eaton recused himself.

They are not a nonprofit and Tosti-Vasey offered that the banners on the bridge are reserved for nonprofits. Stewart did not know of their legal status and checked the sign ordinance. For the banners across the street, the requestor does need to be a non-profit. Stewart suggested that if they would happen to be a non-profit 501(c)3, then maybe they would be considered for this

banner display and Council may opt to do a conditional approval. Tosti-Vasey stated that the decision would need to be made tonight because of the requested dates.

Motion carried unanimously with Eaton recusing from voting.

2020 Census Self Response Rates for Centre County

The Borough returns are good but there is some progress to be made. Tosti-Vasey offered that 24% of the estimated population in Bellefonte has not yet responded. The Federal Government has moved the deadline from October 31, 2020 back to September 30, 2020. A last-minute push was suggested. Wilson stated that the national average for returns was 63% and Pennsylvania's average is 66% with the County at 64%. With every additional person added, Tosti-Vasey stated that more funding would come back to the Borough. The remaining funds in the Census grant will be used for a final advertising push to the community.

LRTP Public Meeting

Information was provided to Council on the Long Range Transportation Plan 2050 public meeting. The meeting is September 2, 2020, from 6-7p.m. and will be virtual. The municipalities and interested community members may comment from now until September 14, 2020. The committee will consider adoption on September 22, 2020, per Johnson. He had a conflict with the last LRTP meeting so could not attend. He read over the minutes and Phoenix Avenue and Route 150 are both on the LRTP but not the TIP. Johnson stated that this is the time to send in comments if these two projects need to be focused on. The Phoenix Avenue project encompasses Water Street, per Johnson. Stewart will send a letter on regarding these projects. Stewart also mentioned Mill Street. He heard discussions that since the CERRO building in Spring Township is being reused, consideration may be made for a sidewalk out to that area. He would like all of this included in the letter.

Thank you Letters to the Police Department

Very nice, heartfelt letters were received for the Chief and specific police officers, per Stewart.

ORAL/PUBLIC COMMENT: Nothing presented.

SPECIAL COMMITTEE REPORTS:

Public Safety Committee Meeting Minutes June 9, 2020 Draft

CCMPO Meeting Summary August 4, 2020

The new I-99/I-80 exchange work was discussed. Johnson received a few emails on this project. PennDOT notified drivers that the traffic on 80 Eastbound work is planned for next week as the Route 26 and interchange project continues. Starting on August 18, 2020, I-80 Eastbound passing lane in the project lane will be closed and drivers will move through using the existing

travel lane in the roadway shoulder. Westbound will not be affected. Paving will continue on the Bellefonte Exit of 99 to Spring Township. The lane has been closed.

Email from R. Brachbill re: PSAB Board of Directors Meeting

The meeting was held on August 7. Fall Leadership Conference scheduled in Gettysburg on October 16-18 was canceled. The resolution policy steering committee was discussed. Tosti-Vasey was never contacted, and she was supposed to be on the committee. Brachbill stated there is a possibility that the resolutions may still be passed. Stewart added that he was told back in the spring that everything would be moved to the October conference which has been canceled.

Ad Hoc Meeting – Wayfinding Project Letter

Tosti-Vasey stated that passage of the revised signage ordinance be delayed as part of the Wayfinding grant that the Borough received last summer was for an audit of the signage ordinance. The grantee did not receive a copy of the ordinance until last week so there was no time for the detailed review that needs to be done. Additionally, due to the banners on the bridge, there was some additional work needed on the signage ordinance. Based on these issues, Tosti-Vasey requested that the vote be tabled until all information was obtained.

Brachbill moved to table the vote until all information is obtained.

Cleeton seconded the motion.

Motion carried unanimously.

MAYOR – THOMAS WILSON

Pedestrian Safety Initiative

This is a phased plan prepared by Chief Weaver. This is something that they had done in the past. Eight years ago, a similar initiative was done. There could be some good feedback. Weaver stated that this could be done at any time. He would like to pair with a possible traffic calming project, or line painting project. One can be done this fall and one in the spring. The volume of traffic flowing through town was discussed. No one area is focused on.

Tosti-Vasey discussed the faded crosswalks throughout town. She inquired about how that would affect education or if it would be better to delay this until they are painted. Weaver stated that the crosswalks are visible enough for people to know where they are.

Eaton inquired about a possible report from the State Police regarding the recent incident at the Diamond with recommendations for mitigation of the situation. Weaver stated that the State Police said they are not doing a mitigation review; other than doing a reconstruction of the accident. Charges are pending but the charges are not necessarily the result of the driver's before the accident, or the causation of the accident, per Weaver. PennDOT has done speeding studies in the past on the area, but no new studies are expected at this time.

BHCA asking Council Permission for Concerts in the Park

Wilson stated that they would like to extend the concerts in the park into possibly September. They have some additional funds.

**Johnson moved to extend the concerts in the park through September 13, 2020.
Walker seconded the motion.**

Johnson discussed the jaywalking across High Street, and he asked that perhaps the police help out with traffic control.

Motion carried unanimously.

Criminal Mischief

Sgt. Brower and Officer Neideigh were on duty and received a phone call from someone uptown and said that people were writing on the Veteran's Wall at the courthouse. The people were confrontational. They advised them they should not be engaging in this. A report was filed. Talleyrand Park was also vandalized. It was on the fountains, walls, train station, etc. It was chalk. Wilson asked how the police should handle this in the future. Wilson stated that he does not think that any vandalism should be allowed in town.

Hombosky stated that if it is chalk give them a verbal warning to move on. There is a lot of non-chalk in the gazebo and nothing was done about it. The chalk can be washed out. She asked that if the chalk is being cracked down on, then the graffiti all over the gazebo that happened last year should have been prosecuted. Wilson stated that the kids may not have been able to be found and they would have been charged as well. He offered that the question was does Bellefonte enforce or not enforce the law.

Eaton stated that the Borough is already doing selective enforcement but not getting the persons doing the vandalism in that they were not caught. Cameras may be placed out there to keep an eye on the area. This was discussed a year ago. Weaver stated that at times the vandals are argumentative and confrontational hoping to drag the police officers into something more.

Eaton offered that if there is paint applied it is vandalism. The perpetrator should be charged. Weaver stated that the charge would be criminal mischief. Chalk also falls into the same category.

Eaton stated that if people are charged for chalking property in the Borough, the media may take it to the next level. Weaver stated that the charge would be a summary citation. No one was cited. Brachbill offered that if the Borough is going to look the other way, they would be looking the other way one time. Prendergast offered that children draw on sidewalks. Concerning the vandalism, he asked why a citation could not just be handed to the person when they are caught, and the officer can walk away. Johnson offered that when the Borough had the Chalk the Walk event, the promoters went through the proper channels. They got permission from Council and they were permitted to chalk the sidewalks. This other chalking is plain and simple vandalism.

Wilson also clarified a misconception about the persons who chalked the Borough property last week. He stated that the information was in the police report. They expressed that it is their right to make their position known and that any Borough or County property is taxpayer property and it is legal to mark it as they see fit. Hombosky stated that yes, it may be a right, but the person needs to go through the property channels. They need to ask permission and get permission and then it can be done. Walking up and starting to write on whatever they wish is not the way to do it. It took over a year for the police to enforce the fishing ordinance, so she did not know the urgency.

Johnson offered that the officers handled the issue extremely well and there is not a right or wrong answer as to how they enforce. He inquired how Council would like to handle the vandalism, even if they feel they were “protesting.” Wilson agreed. Tosti-Vasey offered that when the Black Lives Matters protested at the courthouse there was agreement between Weaver, the D.A., the judges, and the commissioners, and as long as whatever happened did not cause violence against someone and was no permanent damage, everyone would stand back. Weaver stated that that protest was a different circumstance and with the chalking the police will get caught in the middle. Tosti-Vasey also discussed that the chalking was a form of civil disobedience. She acknowledged that there may be some legal repercussions from enforcement. She received a call from Margaret Gray; Gray will be speaking with the commissioners regarding the chalking and will report back what was said at Council. Whatever is done needs to be coordinated with the County as it affects them as well.

Prendergast stated that the body cams would show what actually went on during any kind of a citation process. He would like to see the officers handing a ticket. Eaton compared the chalking to speeding citations. He thought the fine maybe a little out of line. Weaver added that the judge would set the cost of the fine from zero to \$300. Brachbill would like to see peaceful protest defined and how actions would cross the line.

Tosti-Vasey suggested having a conversation with the County and come back to Council once more information is obtained for consistency in a plan of action. Wilson stated that the County does not do enforcement and rely on the police force to protect the County property.

Wilson will contact the County on Tuesday to let them know that the Borough Council is in the process of working on this, leaning towards citation, but would like to discuss further. Their involvement would be encouraged. A community board public space where people can write their feeling, suggestions, Wilson suggested protests. He said it is done all of the U.S. He can get more information for Council. At this point, he wanted the police to know that Council is undecided on action for the chalking.

Prendergast moved to issue citations for vandalism with a fine of zero to \$300.00 set by the Magistrate.

Motion failed due to a lack of a second.

Police Overtime Report

There were six hours – four for central court and two were for investigation of an assault.

COUNCIL PRESIDENT:

Tosti-Vasey reported that Mr. Price from the Pennsylvania Drive Electric Coalition, DEP, and PennDOT called her on Friday and stated they are planning an education program on September 28, 2020, at 11 a.m. for local governments implementing EV programs relative to infrastructure, etc. He asked that Bellefonte Borough would join Pittsburgh in doing the presentation. She contacted Holderman and he has agreed to do the grant section, and Tosti-Vasey will present the other items.

BUILDING AND PROPERTY, ANNE WALKER, CHAIR

Nothing to report.

FINANCE AND GOVERNMENT PERFORMANCE – GINA THOMPSON, CHAIR

Budget v. Actual Summary July 2020
Budget v. Actual July 2020
Current v. Prior July 2020

Budget talks will resume in September.

PARKS AND RECREATION – MELISSA HOMBOSKY, CHAIR

Adrian ____ was included in the call. She did a quick summary of her 26-hour prayer vigil similar to last year, with music, and a gathering at the gazebo at Talleyrand. Last year they did not have more than 30 persons at one time at the event. She will keep track of how many people are there this year. There is a band set up to start at 7 p.m. on Friday, September 11. The event will end 9 p.m. on September 12, 2020.

The cleaning of the park restrooms was discussed briefly. Stewart stated that the Borough could work on having them supplied and cleaned.

Hombosky moved to conditionally approve the event for September 11 from 7 p.m. until 9 p.m. on September 12, 2020, with marked social distancing signage, masks at all times, sanitizers, and the music should not go through the entire evening and only between 9 a.m. and 9 p.m. Payment of park fees and insurance certificate must be provided to the Borough. Brachbill seconded the motion. Motion carried unanimously.

Permanent Lights at the Waterfront

Hombosky had a meeting regarding the permanent lights. They discussed the permanent installation on the waterfront. The cost and payment plan was discussed. She will touch base with the electrician and then be closer to presenting a plan to the Borough, but it may take a little while.

Talleyrand Park Committee

The committee did a park walk-thru. They discussed the brick installation near the dam that will be happening soon. Bricks have been ordered. The trainside walkway will be extended to the new bridge by the railroad bridge. The committee created a five-point park maintenance list that was shared with Matt Auman and those things are being taken care of.

The brick program was reiterated. Talleyrandpark.org or Bellefonte.net has information on purchasing the bricks. The cost is \$150 per brick.

The pedestrian bridge is coming along.

The fish food containers are empty, and Johnson would like to see them refilled. This weekend there was no food. There is one at My Buzz Café next to the deck which they installed, and they own.

HUMAN RESOURCES – JON EATON, CHAIR

Administrative Assistant/Parking Meter Position Openings – interviews are being scheduled.

Part-time police officers leaving. Congratulations on his new position at Spring Township. An HR meeting will be scheduled regarding the vacancy.

SAFETY – RANDY BRACHBILL, CHAIR

Letter to Rep. Benninghoff and Senator Corman – fireworks legislation.

It was requested that the Borough Manager send letters regarding the amendments to the fireworks law that was passed in 2017 and requesting that the state rescind or amend this law. There have been quite a bit of complaints about larger fireworks and not following the state-mandated setbacks. The Borough has requested repealing those 2017 amendments.

WATER/SANITATION – DOUG JOHNSON, CHAIR

Daily Water Withdrawal Report July 2020

Authority Meeting Minutes August 4, 2020 Draft

Letter from Coca Cola Notice of Agreement Transfer

Stewart stated that the agreement is being acted on and they have 60 days to get a response back to Coca Cola. He will keep Council updated. The Authority is taking the lead, but the agreement has both the Borough and the Authority and Milesburg Borough on it. He will keep Council apprised of any decisions being made.

STREETS - DEB CLEETON, CHAIR

Streets Committee meeting held on August 11, 2020

PennDOT “Watch Children” Safety Signage

Feedback was received from PennDOT. Stewart will get the email in the next packet. PennDOT needs the Borough to pick a sign from PennDOT’s publication.

Crosswalk Improvements

Crosswalk repainting is top priority.

Parking meters

All the single parking meters have been installed and the kiosks are in progress. Long term permits and meters were discussed briefly.

Memo from R. Stewart re: Parking Enforcement

The reserved curbside pick-up spaces will be extended for restaurants. They cannot function at full seating capacity and this would help their business.

Brachbill moved to extend the pickup spaces for curbside pick-up which are limited to 15 minutes and they will be ticketed thereafter.

Prendergast seconded the motion.

Motion carried unanimously.

North Monroe and East Linn Street Intersection

Johnson was asked to look at this intersection and consider adding a stop sign for a four-way stop. This can be added to the LTAP list.

ENERGY AND ENVIRONMENTAL CONSERVATION – MIKE PRENDERGAST, CHAIR

Green House Gas Report Comments

Comments should be received by the end of the week if anyone wishes to comment from the public.

PSU Sustainability Project

Tosti-Vasey reported on the PSU Sustainability project for the Borough. The design of the dam over Spring Creek next to Talleyrand Park was a suggestion. Because of COVID-19, the students will be providing their research virtually instead of coming into town. The students will look at soil erosion, the streamflow. They will determine how to break down the project and what they can do. They will make suggestions for future projects.

The shade tree project was discussed briefly. Currently, this is no feasible student or class available for this project due to Covid-19 restrictions.

OFFICE OF COMMUNITY AFFAIRS ZONING/PLANNING:

Planning Commission Minutes August 10, 2020 Draft

HARB:

Certificates of Appropriateness - 227 North Allegheny Street (Level Porch, Replace Flooring) and 111 East High Street Suite 2 Signage

**Johnson moved to approve the certificate of appropriateness for 227 North Allegheny Street for leveling the porch and replacing the flooring with new paint color, as presented; and for 111 East High Street Suite 2 for the sign as presented.
Prendergast seconded the motion.
Motion carried unanimously.**

HARB meeting minutes August 11, 2020 Draft

Johnson discussed the High Street Shops building walkway between the State Farm agency. Someone painted the High Street Shops multi-colored. He inquired if this was approved by HARB.

OLD BUSINESS:

Email re: Airmail 100 Commemoration on September 8, 2020, at the Bellefonte Airport

There will be a commemoration of the airmail flights. The Chamber is involved in this event. Wilson will be present.

Reminder Upcoming PSU Extension Webinar “The Future of Zoning: The view from the COVID-19 Lens” to be held August 19, 2020. This will also be recorded.

Letters to Spring Township State Police – meeting to discuss police services

No response has been received to date. The Axeman Road request was in that letter as well.

Letter to Spring Township State Police – meet to discuss police services

Letter re: Zion Road runoff meeting

A September meeting will be scheduled.

Reminder: Annual Bellefonte EMS Municipal Meeting August 31, 2020, at 7 p.m. RSVP by August 26

Stewart will verify if this is a virtual meeting.

Suicide Awareness and Prevention Month Resolution

Walker moved to approve Resolution No. 08182020-01 designating September as Suicide Awareness and Prevention month and September 10 as Suicide Awareness and Prevention day in Bellefonte Borough. Prendergast seconded the motion. Motion carried unanimously.

Ordinance related to Mask Wearing and Social Distancing (SCB and Patton Township examples provided)

Solicitor advice was in the packet. In summary, the Borough does have the authority to create a mask ordinance, given the emergency declaration and the pandemic. The ordinance that State College adopted was presented to Council members. It will be tailored for Bellefonte Borough. Stewart suggested a motion to consider advertising an ordinance with a committee to draft an ordinance for the Borough. This could be placed on the next agenda.

Prendergast moved to have the safety committee draft an ordinance and advertise to vote at the next meeting. Cleeton seconded the motion.

Wilson reviewed the ordinances and thought of several changes because the Borough is not State College and would like to be part of the ordinance discussion. The public gathering mandates would need to be changed. Eaton would like a diagram of 6 feet between people especially in highly-traveled areas of Bellefonte i.e. pedestrian bridge, etc. He does not think the Patton Township ordinance is feasible.

Brachbill was unsure about the ordinance because everyone is following Pennsylvania guidelines. He does not see long lines at restaurants, etc. He discussed walking your dog along and wearing a mask. He saw issues in some of the businesses that are not wearing masks. Enforcement was discussed. Wilson stated that the Borough would have no recourse if students from the university come down to Big Spring and do not want to wear masks. This would aid in those situations.

Motion carried unanimously.

NEW BUSINESS:

Signage Developed by CBICC Agritourism initiative- memo

Memo re: Lobby Opening/Public Access to the Borough Building

Stewart provided Council with information on the Lobby Area on the second floor. An intercom was installed so people can speak with staff. He wanted security in the office area so that the doors are locked and have to be opened only from the office side. He plans to reopen the lobby area right after Labor Day and have a controlled area for interaction. If an in-person meeting is needed the Council room would be utilized.

Prendergast moved to approve the new public access guidelines for the Borough Building effective Tuesday, September 8, 2020. Brachbill seconded the motion.

The prescription drug drop box will be moved to the first-floor lobby and it will be secured to the floor for dropping off old prescriptions. They will be incinerated after dropping off. The container was donated to the police department.

Motion carried unanimously.

PUBLIC COMMENT: Nothing presented.

ADJOURNMENT:

With no further business coming before Council,

Prendergast moved to adjourn the Council meeting. Brachbill seconded the motion. Motion carried.

Meeting adjourned at 9:42 p.m.