

BELLEFONTE BOROUGH COUNCIL
Regular Meeting
MEETING MINUTES
September 19, 2022- 7:30 p.m.
236 West Lamb Street, Bellefonte, Pennsylvania 16823
www.bellefonte.net

I. CALL TO ORDER

The September 19, 2022, meeting of the Bellefonte Borough Council was called to order at 7:30 p.m.

II. PLEDGE OF ALLEGIANCE (followed by a moment of silence)

III. MEMBERS PRESENT

Mr. Kent Bernier
Mr. Randall Brachbill
Ms. Deborah Cleeton
Ms. Barbara Dann
Mr. Douglas Johnson
Ms. Shawna McKean
Ms. Rita Purnell
Ms. Johanna Sedgwick
Ms. Joanne Tosti-Vasey
Mayor Buddy Johnson

STAFF PRESENT

Mr. Ralph Stewart, Borough Manager
Mr. Don Holderman, Assistant Borough Manager
Harry Brooks, Code Enforcement Officer
Gina Thompson, HARB Administrator
Sean Weaver, Police Chief

IV. ADDITIONS TO THE AGENDA

- 3 items are being added to the Communications section.
Tosti-Vasey motioned to add the items to the Communications section. Bernier seconded. Motion carried.
 - *Letter request from Rob Pacella to add Level 3 EV Chargers in Downtown Bellefonte*
 - *Two letters from residents concerning music/speaking Watermark Church*

V. PUBLIC COMMENT - Agenda and Non-Agenda/General Items and Comments

Lisa Drobka spoke regarding 121 E. Curtain Street. She wants to restore, not remodel the house.

Nancy Perkins also spoke regarding 121 E. Curtain Street. She supports Ms. Drobka's project in restoring the property.

Trish Weidemann also spoke regarding 121 E. Curtain Street. She supports Ms. Drobka's project in restoring the property.

Joseph Griffin spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. He would like to see the Borough stay in the Commission.

Mike Prendergast spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. He would like to see the Borough stay in the Commission.\

Paul Takac the Chair of the Spring Creek Watershed Commission, spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. He would like to see the Borough stay in the Commission. He requested Council table this issue in order to have more discussion and information gathering before making a decision. Mr. Takac also read a statement from Dr. Bob Carmine, the Chair of the Spring Creek Watershed Atlas Project.

Statement recap: In the past, inadequate wastewater treatment practices led to the Spring Creek Watershed having poor water quality. Through the collective efforts of state, government and local municipalities, wastewater treatment facilities were upgraded, and now produce better water quality. Over the years, the commission has learned the value in having shared goals among local municipalities, and the Bellefonte Borough and surrounding areas have a vital goal in helping to achieve those shared goals. Dr. Carmine would like to encourage the Borough to continue to play a lead role in the Commission.

Talley Fisher and Andrea Murrell, Co-Chairs of the Talleyrand Park Committee, spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. They would also like to see the Borough stay in the Commission. They requested Council table this issue in order to have more discussion and information gathering, and public comment before making a decision. They mentioned that Bellefonte is a destination for visitors from across the county and state, and that lots of work has been done to improve the waterfront district over the years. The Park Committee would like to be a part of the decision and discussion of this issue.

Doug Mason, the Chair of the Moshannon Sierra Club, spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. The Sierra Club supports a science-based approach to water management. He would like to see the Borough stay in the Commission. He requested Council table this issue in order to have more discussion and information gathering and community input before making a decision.

Nancy Noll spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She would like to see the Borough stay in the Commission. She requested Council table this issue in order to have more discussion and information gathering before making a decision. She would like to see Bellefonte continue to have a say in decisions that are made regarding the waterways in and surrounding the Spring Creek Watershed.

Jennifer Hooven, an Environmental Educator, spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She objects to the motion for the Borough to leave the Commission. She requested Council table this issue in order to have more discussion and information gathering before making a decision. She also asks that the borough provide transparency in the discussions regarding leaving the Commission, in order to allow the public to be a part of the decision.

Jennilyn Schuster spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She feels that water is a matter of public safety and she would like to see the Borough stay in the Commission. She mentioned that Bellefonte removing itself from the Commission could have major and lasting economic impacts. She feels that our Big Spring is our most valuable natural resource and it should be proactively protected.

Helen DeFlippis spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She does not support the Borough leaving the Commission. She requested Council table this issue in order to have more discussion and information gathering before making a decision.

Jon Eaton, a member of the Bellefonte Water Authority, spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. He clarified that he is not speaking on behalf of the Water Authority. Mr. Eaton formerly lived in the Beech Creek and Bald Eagle Watersheds and now lives within the Spring Creek Watershed, and he feels the Spring Creek Watershed Commission is a great resource that also gives access to the Fish Commission, Clearwater Conservancy, and many other profitable, non-profit organizations that are dedicated to improving our environment. He mentioned the Commission offers a wealth of information and a huge database of resources about our watershed. He mentioned about the Rutgers-Nease Chemical Company polluting the groundwater in the 1970's. He would like to see the Borough stay in the Commission. He strongly encouraged the Borough to stay on the Commission.

Laura Remington spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She would like to see the Borough stay in the Commission. She requested Council offer transparency in making this decision.

Melody Kehm spoke regarding the removal of the Bellefonte Borough from the Spring Creek Watershed Commission. She would like to see the Borough remain on the Commission.

Based on public comments, Mr. Stewart suggested moving the vote for removing Council from the Watershed Commission from “New Business” to the “Public Comments” section of the meeting, in order to allow for community members to have immediate resolution to their comments.

Based on discussions between Bellefonte Borough and Bellefonte Borough Water Authority, Bernier motioned and Johnson seconded to remove Bellefonte Borough from the Spring Creek Watershed Commission by revision or amendment to the ordinance originally adopted by Bellefonte Borough. Discussion included clarification of why the Borough is discussing leaving the Watershed Commission. Mr. Stewart clarified that the decision is based on a legal situation with both agencies.

Tosti-Vasey made a substitute motion to have Bellefonte Borough stay on the Spring Creek Watershed Commission and have the Water Authority appoint 2 elected representatives from Council to sit on the committee.

**A “YES” vote signifies staying on the commission, “NO” signifies leaving the commission.*

Mr. Kent Bernier	YES
Mr. Randall Brachbill	YES
Ms. Deborah Cleeton	YES
Ms. Barbara Dann	YES
Mr. Douglas Johnson	YES
Ms. Shawna McKean	YES
Ms. Rita Purnell	YES
Ms. Johanna Sedgwick	YES
Ms. Joanne Tosti-Vasey	YES

William Coble spoke regarding the Short-Term Rental (STR) ordinance. He respectfully requested that Council grandfather in the existing STR owners.

Bruce Cifelli spoke regarding the Short-Term Rental (STR) ordinance. He spoke regarding the information session offered by the Borough. He is in favor of STR’s in the borough.

Susan Farro spoke regarding the Short-Term Rental (STR) ordinance. She spoke regarding the information session offered by the Borough. She is in favor of STR’s in the borough. She discussed that there are other businesses in the Residential zone and she pointed out that the other businesses in the area are not being held to the same standards as STR’s.

Barry Krocher spoke regarding the Short-Term Rental (STR) ordinance. He is in favor of STR’s in the borough. He suggested a reference article that Council members could utilize that discusses specifically targeting STR issues and problems and addressing only those concerns with practical policies, rather than comprehensively banning STR’s in a given area.

VII. COMMUNICATIONS

Council received a letter from Saint John's Catholic School Christmas Pageant in Talleyrand Park, Gazebo Side on Sunday, December 18, 2022.

Tosti-Vasey motioned and Bernier seconded to approve Saint John's Catholic Schools request to use Talleyrand Park, Gazebo side on Sunday, December 18, 2022 from 1pm-4pm for their Christmas Pageant. No discussion. Motion carried.

Tosti-Vasey motioned and Johnson seconded to approve the waiver of reservation and deposit for the Christmas Pageant. No discussion. Motion carried.

Council received a request from HBI to hold the Annual Halloween Parade on Saturday, October 29, 2022.

Johnson motioned and Purnell seconded to approve the HBI request to hold the Annual Halloween Parade on Saturday, October 29, 2022, with the parade ending at the Gazebo in Talleyrand Park. No discussion. Motion carried.

McKean motioned and Purnell seconded to approve the street closures beginning at 9:30 am from the E Linn St and N. Allegheny St intersection to the W. Bishop St and S. Allegheny St intersection, East and West Howard St., W. High Street and the Corner of West High Street and Water Street. No discussion. Motion carried.

Council received an invitation to attend the virtual Pennsylvania Sustainability Summit on October 3rd - October 7th. No council action required.

High Line Disc Golf, LLC proposal for Disc Golf in Governor's Park. Will be added to future Work Session.

Email from Resident requesting the Borough looks into Level 3 Electric Charging Stations. Council may take action. The issue will be added to a future work session. Tosti-Vasey read a very lengthy statement regarding this issue.

Thank you to Bellefonte Police Department for their help with Herbies Hometown Loop. No council action required.

Letter from Bellefonte Historic Preservation Foundation regarding 121 E. Curtin Street.

Two emails were sent to Council from 2 different people regarding noise in the Borough. The complaint referred to the amplification of music day and night that violates the noise ordinance. Two events that were mentioned in the emails were "Movies in the Park", and "Music in the Park".

VIII. CONSENT AGENDA

Consent Agenda includes the following items:

General Council Meeting Minutes September 6, 2022
Finance Stover McGlaughlin Invoice August 2022
Finance Budget v. Actual August 2022
Finance Budget v. Actual Summary August 2022
Finance Treasurer's Report August 2022
Finance Voucher Summary August 2022

Motion made by D. Johnson to approve the Consent Agenda items 4,5,6. Second by Dann. No discussion. Motion carried to approve items 4, 5, 6.

Revisions to the September 6th minutes were submitted and discussed. Motion to approve the amendments to the September 6th minutes made by Tosti-Vasey. Second by Dann. No discussion. Motion carried to approve the amendments.

Mr. Brachbill raised questions about the Budgets.

Cleeton motioned and McKean seconded to approve the amendments and revisions to the Stover McGaughlin Invoice, and motion to approve items 2,3. No discussion. Motion carried.

IX. REPORTS

Mayor Johnson

General reminder to area residents and business owners to lock your doors.
Parking Enforcement & Animal Control August 2022 Report

Police – Chief Weaver

Chief Weavers report is included in tonight's packet.

Tosti-Vasey raised a question about Chief Weaver's report, asking if the training seminar was a seminar or part of an actual incident that was reported elsewhere in this report. She would like clarification on this item.

Office of Community Affairs (OCA)/Historical and Architectural Review Board (HARB)

1. Historic Architectural Review Board (HARB)

No items to report

2. Zoning:

Motion to approve the issuance of a Certificate of Appropriateness for the following projects as presented:

Demo Permit for 1081 Zion Road (Armory Brewery) -Demolition of CMU blocking garage doors, demo of existing interior CMU wall. At a later date, portion of the floor to be demolished for new drains and equipment connections. This project meets the criteria set forth in the covenant agreement from Pennsylvania Historic Museum Commission (PHMC).

Dann motioned and Cleeton seconded to approve demolition project at 1081 Zion Road (Armory Brewery). Discussion included Tosti-Vasey asking to clarify that it is only the garage door and interior, only non-weight bearing structures, that are being demolished. Motion carried.

Ms. Thompson mentioned that she did a walk-through of 121 E. Curtain Street, and she took photos that will be submitted to the property file.

D. Johnson motioned to not appeal to the Zoning Hearing Board. Seconded by Purnell. No discussion. Motion carried.

Ms. Thompson also mentioned that she left comments in her memo regarding her attendance at the Active Transportation Summit Meeting. She wanted to correct an error on her first bullet point that she said Bellefonte is not part of the CCMPO, and Bellefonte is a member of the CCMPO.

There will be a Zoning Hearing Board on Tuesday, September 27 at 5:00 p.m. in Council Chambers. The notice has been posted on the property (316 E. Burrows Street) and will be advertised.

Planning Commission (NONE)

Nuisance codes (NONE)

Borough Manager Submitted

Liaison Reports

Reports were submitted

Bellefonte EMS

Bellefonte Environmental Advisory Board Committee

Nittany Valley Joint Recreation Authority

PSU Sustainability Projects

Union Cemetery Association

Zoning Hearing Board

Bellefonte Borough Authority

Centre County Airport

Spring Creek Water Association

X. CURRENT and OLD BUSINESS

Zoning Hearing Board Appeal Memo. Council addressed this earlier in the meeting.

Commuter Resident Long-term parking memo in response to a resident's complaint about the current red meter parking in the Borough.

Cleeton motioned and Dann seconded to eliminate the free one-hour parking in the long-term red parking permit spaces effective January 1, 2023. Discussion included Tosti-Vasey requesting to

table this item in order to give the public a chance to comment. A question was raised regarding how much permit parking is utilized. It was clarified that some areas of town are more utilized than others. The Borough has 120-125 permit spaces available, but only approximately 75 permits are currently issued for the red permit parking spaces.

Tosti-Vasey motioned to table this issue. Sedgwick seconded. No discussion. Motion carried.

YMCA Trick or Trot and Fall Fest in Talleyrand Park on October 29th, 2022 Memo.

Tosti-Vasey motioned and Cleeton seconded to remove from the table. Motion carried.

Purnell motioned and Sedgwick seconded to approve the YMCA Trick or Trot and Fall Fest in Talleyrand Park on Saturday, October 29, 2022. No discussion. Motion carried.

Cleeton motioned and Purnell seconded to close S. Potter Street from W. High St to Centre Oil and Gas (294 S. Potter St) from 10AM-3PM for the Hayride. No discussion. Motion Carried.

DBI Friday in the Fonte follow-up response to Council about Alcohol at the September and October events. No council action needed.

Memo on ongoing Projects at the Train Station, Governor's Park Baseball Field, Streetscape, Police Department and Parkview Heights stormwater. No council action needed.

The PHMC grant is on schedule. Roof should be completed this week – weather pending. Painting will then be completed by late October.

The RFP for the Governor's Park Baseball field was advertised for bids on Friday. A non-mandatory pre-bid conference will be held Thursday September 29, at the field. The bids for the project are due by October 14, 3pm and bid opening will be at the Borough Council meeting on October 17.

The design of the Spring Street/W Bishop streetscape project is ongoing. They walked the site several weeks ago. Funding was also discussed, regarding CDBG funding and the PennDOT TASA Grant.

Council received the electronic deposit of \$1.8M grant funds for the police department.

Design is complete on the Parkview Heights Stormwater project. The project is on hold pending a \$100,000.00 grant award from DCED. The grant is in the queue. In addition, the engineer submitted a grant application to the Centre County Commissioners County Wide Action Plan, that deals with water quality improvements in treating stormwater runoff.

Note: The Zion Rd/Parkview Heights Traffic Control Study will be completed sometime this month. Final report will take an additional 30 days, so we should have the results of that study by November, if all goes according to schedule.

Short-Term Rental Proposed Draft Ordinance.

Cleeton motioned and Sedgwick seconded to request staff to set up a date/time/location for a public hearing to receive comments on the proposed draft. A council member suggested that this issue be tabled. Purnell also feels that this issue needs to be tabled. Another member commented that the issue needs to be resolved as it has been ongoing for some time now.

McKean motioned to table the STR draft ordinance and Dann seconded. No further discussion. Roll call vote. Motion failed.

Mr. Kent Bernier	NO
Mr. Randall Brachbill	NO
Ms. Deborah Cleeton	NO
Ms. Barbara Dann	YES
Mr. Douglas Johnson	NO
Ms. Shawna McKean	YES
Ms. Rita Purnell	YES
Ms. Johanna Sedgwick	NO
Ms. Joanne Tosti-Vasey	NO

Cleeton motioned to take action to request staff to set up a date, time and location for a public hearing to receive comments on the public draft. Sedgwick seconded. No further discussion. Motion carried.

SRO Agreement draft – under staff review. No action requested.

XI. NEW BUSINESS

2023 Minimum Municipal Obligation (MMO) for the Bellefonte Borough Pension Plans.
Resolution No. 09192022-01

Cleeton motioned and Dann seconded to approve the 2023 MMO's as presented for the Non-Uniform Pension and Police Pension. No discussion. Motion carried.

Purnell motioned and Cleeton seconded to approve Resolution No. 09192022-01. No discussion. Motion carried.

Revised Fee Schedule Lot Consolidation Plan Resolution No. 09192022-02.

Bernier motioned and Dann seconded to approve Resolution No. 09192022-02. No discussion. Motion carried.

Spring Creek Watershed Commission. Based on discussions between Bellefonte Borough and Bellefonte Borough Authority.

This item was voted on earlier in the meeting.

Meeting minute requirements. See excerpt from Section 706, Chapter 7, Title 65 State Open Meetings Act, Minutes of meetings and what shall be included. Council is meeting or exceeding the requirements. No action required.

Consider Items from the Goals/Issues list to be scheduled for the 10/03/2022 Council Work Session.

XII. ADJOURNMENT

Meeting adjourned at 9:43 p.m.