

**BELLEFONTE BOROUGH COUNCIL**

**Regular Meeting**

**MEETING MINUTES**

**August 21, 2023- 7:30 p.m.**

**236 West Lamb Street, Bellefonte, Pennsylvania 16823**

[www.bellefonte.net](http://www.bellefonte.net)

**I. CALL TO ORDER**

The August 21, 2023 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  
Mr. Shawn Weaver, Police Chief  
Ms. Gina Thompson, Planning, Zoning & HARB Administrator

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**IV. ADDITIONS TO THE AGENDA**

Tosti-Vasey requested to add 1 item to tonight's agenda, a motion to vacate the portion of Right Away on W Lamb Street under Old Business.

*Tosti-Vasey motioned and Purnell seconded to approve adding the above item to the agenda under Old Business. No discussion. Motion carried. The item will be added to the meeting agenda.*

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

**SPECIAL PRESENTATION:** The Mayor gave a special presentation/proclamation regarding the Bellefonte Boys' Varsity Baseball Team regarding their win at the State Championship. The team is the 2023 PIAA Class 4A State Champions.

Erin Trouba spoke in support of the Climate Action Plan (CAP) and the Environmental Advisory Board (EAB). She is a resident and an environmental social scientist. She also mentioned grant monies available to support programs like this.

Nancy Noll spoke in support of the Climate Action Plan. She also commended Council Members for their service on Council.

Jason Moser spoke in support of the Climate Action Plan. He also commended Council Members for their service.

Si Wing Yu spoke in support of the Climate Action Plan. She suggested changing the wording of the plan to read less like a “mandate” rather than getting rid of it because the ideals of the plan are laudable.

Nancy Perkins from the North Ward spoke in support of the Climate Action Plan. She stated that the environment here in Bellefonte is a huge asset, compared to other areas.

Mike Stout, the president of Downtown Bellefonte Inc. spoke regarding the location of the Bellefonte Under the Light’s event. DBI submitted an application to have the event at the Public Parking Lot at the corner of Spring and Cherry Streets (across from Belle Mercantile). Their request for that location was denied. They would now like to have the Raceway approved as a new location. The new proposed date is October 21, 2023.

## **VI. COMMUNICATIONS**

Centre County Recycling and Refuse Authority July & August Municipal Report 2023. No Council action is needed.

West Penn Power Community Tree Program. No Council action is needed.

Request for “No Trucks” signage on W. Bishop Street near Dollar General due to issues with trucks turning around. Council may schedule a discussion or consider action.

Resident Comments about the Bellefonte Borough Climate Action Plan. No Council action is needed.

Spring Creek Watershed Commission 2024 Budget and Meeting Dates. A budget increase is being requested. Council will consider this during the 2024 budget work. No Council action is requested at this time.

West Penn Power Response to Nathaniel & Maria Day’s request to partially vacate Lamb Street. No Council action is needed.

Request for donation to support Harrisburg Poet’s workshops for Bellefonte Youth. Council may consider action.

*Tosti-Vasey motioned to advertise this event on the Borough website. There was no second. The motion failed.*

Safe Routes to Parks Bellefonte Borough Update. No Council action is needed.

**VII. PUBLIC HEARING - Request to Vacate Portion of West Lamb Street Right-of-Way**

*Bernier motioned to open the hearing and Dann seconded.*

This hearing is an informational hearing only (Council members may not comment) in regards to a petition for the property located at 203 N Thomas Street – the corner of N Thomas and W Lamb Street. The property owner’s attorney was present to present the request. Property owners are requesting to vacate 9.75 feet of right of way, as the extra 9.75 ft is a discrepancy with the rest of the street which is 50ft wide in all other areas.

- The property owners would like to install a decorative fence along their property line in this area.
- The property owners are willing to agree to granting a private right of way to West Penn Power.
- This area is also right of way for Comcast (cable) and Verizon (phone).
- The issue is that there are utilities present overhead in the right of way. In other cases where a right of way was vacated, there were no utilities present.
- It was clarified that the extra 10 feet in that area is because of the utilities – 50ft for the street, 10ft for the right of way, which is necessary for the utilities.

*Tosti-Vasey motioned to close the hearing and Bernier seconded.*

*Tosti-Vasey made a motion to conditionally approve vacating the right of way, contingent on all utilities agreeing to a private easement with the property owners for continued access to the property for any needed maintenance of utilities. Bernier seconded the motion. Roll call vote. Motion carried.*

Mr. Kent Bernier	yay	Ms. Shawna McKean	yay
Mr. Randy Brachbill	yay	Ms. Rita Purnell	yay
Ms. Deb Cleeton	yay	Ms. Johanna Sedgwick	yay
Ms. Barbara Dann	yay	Ms. Joanne Tosti-Vasey	yay
Mr. Doug Johnson	yay		

**VIII. CONSENT AGENDA (will be acted upon by a single motion unless otherwise noted)**

Consent Agenda includes the following items:

1. General	Council Meeting Minutes July 5, 2023
2. Finance	Budget V. Actual July 2023
3. Finance	Budget V. Actual Summary July 2023
4. Finance	Stover McGlaughlin Invoice July 2023
5. Finance	Treasurer’s Report July 2023
6. Finance	Voucher Summary July 2023

*Bernier motioned and Dann seconded to approve the Consent Agenda items. No discussion. Roll Call Vote. Motion carried.*

Mr. Kent Bernier	yay	Ms. Shawna McKean	yay
Mr. Randy Brachbill	yay	Ms. Rita Purnell	yay
Ms. Deb Cleeton	yay	Ms. Johanna Sedgwick	yay
Ms. Barbara Dann	yay	Ms. Joanne Tosti-Vasey	yay
Mr. Doug Johnson	yay		

**IX. REPORTS**

**Mayor Johnson**

The mayor presented his proclamation for the Bellefonte Boys Baseball team earlier in the meeting.

**Police – Chief Weaver** (reports were submitted in tonight’s Council Packet)

- July 2023 Report
- Parking Enforcement and Animal Control July 2023 Report

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

Recommended for approval (Specific motions are stated in the OCA memo):

- 384 E. Linn Street – exterior window and door replacement.
- 435 N. Spring Street - Add an L-shaped porch to cover the front of the entrance.
- 469 E. Curtin Street – Replace existing windows with new wooden windows (same style/grid patterns), paint all trim work and doors, add gutters and downspouts, and replace accent roof(s).
- 469 E. Curtin Street - Add a free-standing deck to the rear of the home

*Tosti-Vasey requested to remove the project at 435 N. Spring Street from the list of Recommended Approvals.*

*Brachbill motioned and Dann seconded to approve the following projects: 384 E. Linn Street, 469 E. Curtin Street and 469 E. Curtain Street. No discussion. Roll Call vote. Motion carried.*

Mr. Kent Bernier	yay	Ms. Shawna McKean	yay
Mr. Randy Brachbill	yay	Ms. Rita Purnell	yay
Ms. Deb Cleeton	yay	Ms. Johanna Sedgwick	yay
Ms. Barbara Dann	yay	Ms. Joanne Tosti-Vasey	yay
Mr. Doug Johnson	yay		

*Tosti-Vasey motioned to return this project to HARB for further review. Brachbill seconded. Discussion included Tosti-Vasey offering her opinions on the project. She said there was not enough information presented to HARB by the property owner. Tosti-Vasey She said that adding a porch is a major construction issue as and as such requires written plans with materials to be presented to HARB for review. This wasn’t done in this case. It was noted by Mr. Stewart that HARB is not responsible to enforce Zoning, and that the process was followed for this project. This motion is to send this request back to HARB for reconsideration. A yay vote is to request*

*that HARB re-review, a no vote means that the project will be considered for approval as presented. Roll call vote. With 8 no's and 1 yay, the motion to re-review the project failed.*

Mr. Kent Bernier	<i>no</i>	Ms. Shawna McKean	<i>no</i>
Mr. Randy Brachbill	<i>no</i>	Ms. Rita Purnell	<i>no</i>
Ms. Deb Cleeton	<i>no</i>	Ms. Johanna Sedgwick	<i>no</i>
Ms. Barbara Dann	<i>no</i>	Ms. Joanne Tosti-Vasey	<i>yay</i>
Mr. Doug Johnson	<i>no</i>		

*Dann motioned to approve the project located at 435 N. Spring Street.*

*Tosti-Vasey motioned to amend the motion to include HARB's specification that the property owner use Asbestos Style roofing materials to match the main roof, not the metal roof that the owner requested. It was clarified that Council will not vote to change what HARB has already recommended. Council can only approve or disapprove a project as it is presented. Tosti-Vasey noted that the HARB minutes stated that the request for a certificate of approval be made "with the change that the roof on the porch be an asphalt shingle to match the shingle on the house." She stated she was making this request to place the HARB recommendation into what we are voting on. There was no second to the amendment.*

*Bernier seconded the original motion to approve the project as presented. No discussion. Roll Call vote. Motion carried unanimously.*

Mr. Kent Bernier	<i>yay</i>	Ms. Shawna McKean	<i>yay</i>
Mr. Randy Brachbill	<i>yay</i>	Ms. Rita Purnell	<i>yay</i>
Ms. Deb Cleeton	<i>yay</i>	Ms. Johanna Sedgwick	<i>yay</i>
Ms. Barbara Dann	<i>yay</i>	Ms. Joanne Tosti-Vasey	<i>yay</i>
Mr. Doug Johnson	<i>yay</i>		

- Liaison Reports** (Reports were submitted)
- Borough Manager** (Report was submitted)
- Assistant Borough Manager** (Report was submitted)

**X. CURRENT and OLD BUSINESS**

Centre Climate Action Plan (CAP) and Environmental Advisory Board (EAB).

*Dann motion and Bernier seconded to suspend all Borough-related activity on the Climate Action Plan/ Environmental Advisory Board. Discussion included comments by Tosti-Vasey regarding her reasons for her No vote. This included the economic benefits to Bellefonte while upholding her oath of office by doing her constitutional duty to uphold the PA Constitution's Declaration of Rights that includes protecting our natural resources for all people, including generations to come. Purnell commented that she does not want to create more taxes for Borough residents with this CAP. Bernier commented that having a plan is a good idea, but the language in the plan needs to be redone. Other comments included several council members commenting that this plan is over-reaching and that council has spent too much time and money on this issue – when there are more pressing needs in our area. It was noted that the primary focus of Borough Council needs to be public safety, parks, water, sewer, refuse and streets. Roll*

*Call vote. Motion to suspend all Borough related activity on the CAP/EAB carried with a 5/4 vote.*

Mr. Kent Bernier	yay	Ms. Shawna McKean	no
Mr. Randy Brachbill	yay	Ms. Rita Purnell	yay
Ms. Deb Cleeton	no	Ms. Johanna Sedgwick	no
Ms. Barbara Dann	yay	Ms. Joanne Tosti-Vasey	no
Mr. Doug Johnson	yay		

Memo from Finance Director: Budget V. Actual Summary June 2023.

*Brachbill motioned and Cleeton seconded to approve at Budget V. Actual Summary June 2023. Discussion included reading the included memo out loud to Council to clarify the discrepancy. Roll Call vote. Motion carried unanimously.*

Mr. Kent Bernier	yay	Ms. Shawna McKean	yay
Mr. Randy Brachbill	yay	Ms. Rita Purnell	yay
Ms. Deb Cleeton	yay	Ms. Johanna Sedgwick	yay
Ms. Barbara Dann	yay	Ms. Joanne Tosti-Vasey	yay
Mr. Doug Johnson	yay		

Coalition Against Bigger Trucks Request for Letter of Support. Council may consider taking action on the request.

*Brachbill motioned and Dann seconded to send a letter of support. Discussion included Dann commenting about the Coalition. Roll Call vote. Motion carried unanimously.*

<i>Mr. Kent Bernier</i>	<i>yay</i>	<i>Ms. Shawna McKean</i>	<i>yay</i>
<i>Mr. Randy Brachbill</i>	<i>yay</i>	<i>Ms. Rita Purnell</i>	<i>yay</i>
<i>Ms. Deb Cleeton</i>	<i>yay</i>	<i>Ms. Johanna Sedgwick</i>	<i>yay</i>
<i>Ms. Barbara Dann</i>	<i>yay</i>	<i>Ms. Joanne Tosti-Vasey</i>	<i>yay</i>
<i>Mr. Doug Johnson</i>	<i>yay</i>		

DBI /Under the Lights Special Event Request to use South Lot. The streetscape project scheduled for South Spring Street will be underway during the requested date. Staff is recommending that the event organizers find an alternative location.

Bellefonte Rental Code Update/CR Code Amendments Update. Following council’s action on the proposed ordinance amendments at the 8/7 meeting, Centre Region Code has stated that no further action by council needs to take place. Bellefonte will operate under the previously approved Ordinance of 2017. No Council action is needed.

Bellefonte Borough Special Events Calendar: August-October 2023. No Council action is needed.

(THIS ITEM WAS REMOVED FROM TONIGHT’S AGENDA) Request to amend Commercial Business District Zoning to allow ground-floor residential for Emergency shelter/homeless housing. The zoning amendment process involves public notices, hearings, legal advertising, and

the crafting of the amendment language. The requester of this amendment has asked that council signify their willingness to consider an amendment as described. Council may consider action.

South Spring Street Streetscape Bids Review. The low bidder did not have a complete bid package submission. Staff is recommending that, based on the solicitor's opinion, the borough accept the next lowest bid.

*Tosti-Vasey motioned and Dann seconded to approve the CDBG Spring Street Streetscape Bid – John Nastase Construction for \$194,981.74. No discussion. Roll Call vote. Motion carried unanimously.*

<i>Mr. Kent Bernier</i>	<i>yay</i>	<i>Ms. Shawna McKean</i>	<i>yay</i>
<i>Mr. Randy Brachbill</i>	<i>yay</i>	<i>Ms. Rita Purnell</i>	<i>yay</i>
<i>Ms. Deb Cleeton</i>	<i>yay</i>	<i>Ms. Johanna Sedgwick</i>	<i>yay</i>
<i>Ms. Barbara Dann</i>	<i>yay</i>	<i>Ms. Joanne Tosti-Vasey</i>	<i>yay</i>
<i>Mr. Doug Johnson</i>	<i>yay</i>		

Nastase Construction Final Invoice for Governor’s Park Baseball Field.

*Dann motioned and Sedgwick seconded to approve Nastase Construction Final Invoice on the condition of the Architects' review and approval in the amount of \$64,386.60. No discussion. Roll Call vote. Motion carried unanimously.*

<i>Mr. Kent Bernier</i>	<i>yay</i>	<i>Ms. Shawna McKean</i>	<i>yay</i>
<i>Mr. Randy Brachbill</i>	<i>yay</i>	<i>Ms. Rita Purnell</i>	<i>yay</i>
<i>Ms. Deb Cleeton</i>	<i>yay</i>	<i>Ms. Johanna Sedgwick</i>	<i>yay</i>
<i>Ms. Barbara Dann</i>	<i>yay</i>	<i>Ms. Joanne Tosti-Vasey</i>	<i>yay</i>
<i>Mr. Doug Johnson</i>	<i>yay</i>		

**XI. NEW BUSINESS**

Request Penn State University Sustainability Project - Water Bottling Study Updates.

*Brachbill motioned and Cleeton seconded to approve the Water Bottling Study Update for Bellefonte’s sustainability project. No discussion. Roll Call vote. Motion carried unanimously.*

<i>Mr. Kent Bernier</i>	<i>yay</i>	<i>Ms. Shawna McKean</i>	<i>yay</i>
<i>Mr. Randy Brachbill</i>	<i>yay</i>	<i>Ms. Rita Purnell</i>	<i>yay</i>
<i>Ms. Deb Cleeton</i>	<i>yay</i>	<i>Ms. Johanna Sedgwick</i>	<i>yay</i>
<i>Ms. Barbara Dann</i>	<i>yay</i>	<i>Ms. Joanne Tosti-Vasey</i>	<i>yay</i>
<i>Mr. Doug Johnson</i>	<i>yay</i>		

**XII. COUNCIL COMMENTS FOR THE GOOD OF THE ORDER**

Members may offer comments regarding various events and issues within the Borough.

Mr. Stewart thanked the property owners at Parrish Drugs for doing a really great job renovating the property/apartments (short term units) at that site.

Mayor Buddy Johnson thanked community members for standing up and speaking and having the courage to continue to persevere in speaking up about community issues. He is also thankful for Council members and the time they give to the community.

Mr. Brachbill commented that he is not a part of a community project created by Barry Myers and he wanted to dispel that rumor.

Ms. Tosti-Vasey commented that the two public EAB programs scheduled for September will be cancelled. The first cancelled event was a CAP discussion session scheduled for September 16 and the second cancelled event is a community composting event scheduled on Musser Lane on October 7<sup>th</sup>. She will notify the EAB that all future programs and events are now cancelled. It was /discussed that educational programs could continue, but Tosti-Vasey countered that with no EAB and an order by the Council that staff time not be used on these types of programs, that there is no one available to plan and coordinate future events.

Ms. Cleeton offered state trivia for today. She mentioned that on this date, August 21, 1959, Hawaii became the 50<sup>th</sup> state.

Ms. Purnell reminded council that there is an upcoming event with a street closure – the Safe Routes event on Sunday, August 27, 2023. Also St. Johns “Blessing of the Backpacks” event is Sunday, August 27, 2023.

### **XIII. ADJOURNMENT**

Meeting adjourned at 8:52p.m.