

September 6, 2016

Borough Council

The Regular Meeting of the Bedford Borough Council was held on the above date with the following Council Members present, Dean Lemley, Tim Weaverling, James Wehling, John Cessna, William Blackburn, Jeff Rinscheid and Patrick Neff. Mayor William Leibfreid, Borough Manager Barbara Diehl, Secretary Beverly Geller, Solicitor Dean Crabtree and Police Chief Jim Sigler were also present.

Council was called to order at 7:00 pm by President Lemley and then went into Executive Session, exiting to Room 110 to discuss Contract Negotiations.

Council exited Executive Session at 7:23 pm and returned to the Meeting Room.

Mayor Leibfreid welcomed Michaela Musselman to Borough Council by leading her in the Junior Council Person pledge.

Motion was made by Councilman Cessna, seconded by Councilman Neff, to approve the Minutes of the August 1, 2016 Regular Meeting. Motion was carried by unanimous vote (7-0).

Motion was made by Councilman Rinscheid, seconded by Councilman Blackburn, to approve the list of bills from August 2 through September 6, 2016 work. Motion was carried by unanimous vote (7-0).

Motion was made by Councilman Wehling, seconded by Councilman Weaverling, to approve the Treasurer's Report for September 6, 2016 and to transfer \$2,000.00 to Fund 40 from Fund 1 for operating expenses. Additional expenses this summer included tree removal and landscaping. Motion was carried by unanimous vote (7-0).

Dr. Bracken, 539 E Pitt Street, spoke about garbage collectors (Burgmeier's Hauling and Weaver's Sanitation Service) picking up at Pitt Pack & Ship and R & J's Tavern at 3:45 to 6:00 am in the morning. Manager Diehl shared that she spoke with Weaver's Sanitation and they try to pick up early in the morning before traffic increases (School Buses, parking at Businesses). Mayor Leibfreid and Manager Diehl will speak with Burgmeier's Hauling and Weaver's Sanitation about the Borough's Noise Ordinance.

Tonya Grimes, DBI, Inc. shared the 2017 Event Schedule requested by DBI. Ms. Grimes noted some events from prior years were removed from the 2017 Schedule. They include a May movie night, Gospel music night and the corn hole tournament. Sara Letzo, Vice Chairman of DBI, noted that DBI would like to remove National Night Out from the DBI 2017 calendar. She noted DBI would offer support for the event if held in downtown Bedford, but after speaking with Chief Sigler she understood that the event started by local Fire and Police forces, could be held in other communities throughout the County.

Mayor Leibfreid reviewed the Police Statistics with Borough Council.

Councilman Cessna presented the following Event Requests:

Motion was made by Councilman Neff, seconded by Councilman Weaverling, to approve the Bedford Elks Lodge request for permission to hold the annual Halloween Parade on Monday, October 24, 2016 with a rain date of Wednesday, October 26, 2016. They will be using the same route as in previous years. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Rinscheid, seconded by Councilman Neff, to approve the request from Precious Life of Bedford County to hold the annual "Walk for Life" parade on Saturday, September 17, 2016. Parade will form at Bedford High School at 9:15 am with the parade beginning at 10:00 am and with an anticipated end time of 11:30 am back at the High School. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Weaverling, seconded by Councilmen Neff, to approve the request from the Fall Foliage Committee to hold the 52nd Annual Fall Foliage Festival 2016 on October 1, 2, 8 and 9, 2016, upon clarification that Festival hours will remain 9am to 5pm daily. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Rinscheid, seconded by Councilman Cessna, to approve the request from Eleanor Sipes, FIT4LIFE, to hold workouts at the Green and/or Fort Bedford Park on Mondays at 8:30 am and 5:15 pm; Wednesdays at 8:30 am and Thursdays at 8:30 am and 5:15 pm. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Weaverling, seconded by Councilman Cessna, to approve the request from Bedford Sunrise Rotary Club to utilize the Gazebo from September 11th through 30th for a public display to honor those who have provided the Rotary objective of Service Above Self by creating a ribbon display. Councilman Cessna noted that the Rotary would need to remove the banner early on September 30th in preparation for the Fall Foliage Festival. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Wehling, seconded by Councilman Cessna, to approve the following DBI event requests for 2017:

Easter Family Fun Event

- April 15 – Lutheran Church and Presbyterian Church Quadrants of the Square 12pm – 2pm
- Closing of Juliana Street from Central Way to Penn Street between 11am – 2:30pm
- No Parking signs installed Friday night with no parking on event day from 9am-2:30pm

Sidewalk Sales

- Beginning May 25 through May 29 for Memorial Day
- June 29 through July 4 for Independence Day
- July 21 through July 30 for Fair Week
- August 31 through September 4 for Labor Day
- October 6 through October 15 for Fall Foliage Festival (with the exclusion of Juliana St)

Bedford Car Show

- May 13 (rain date May 20) from 11am-5pm on Juliana and Penn Streets
- Closing of Juliana Street between Pitt and Watson Streets; closing of Penn Street between Richard Street to the end of the Courthouse (leaving the alley and parking garage open); and the closing of John Street between 9am – 6pm
- Lutheran Church and Presbyterian Church Quadrants of the Square
- Use of the gazebo
- No Parking signs installed Friday night with no parking on event day from 7am – 6pm

Farmer's Market

- Every Wednesday starting May 17 through October 25 - Lutheran Church and Presbyterian Church Quadrants of the Square – 9am – 1pm
- Use of the gazebo and erection of FM signage during all of the above dates and times
- DBI will provide “No Parking on Wednesdays” signs specifically designed for the Farmers Market that can be put up Tuesday evenings by the DBI staff. The parking signs are placed so vendors can park and unload. They move their cars and signs come down duration of market. Signs are then placed again to allow vendors back into the spaces for loading purposes.
- Extended market hours on Wednesday, August 9 until 6pm in recognition of National Farmer's Market Week

Community Wide Yard Sales

- Lifting of the requirement for property owners to obtain “Yard Sale Permits” for Friday, May 26 through May 29

Movie Nights

- June 23, July 21, August 18 – Lutheran Church Quadrant on the Square 6pm – 11pm
- Use of the Gazebo
(No road closures necessary)

Community Yard Sale at Fort Bedford Park

- May 27 at Fort Bedford Park 8am – 1pm
- Park closed to traffic from 6am – 2pm
- No Parking signs installed Friday night with no parking on event day from 6am – 2pm

Bed Race Event

- May 28 from 2pm – 6pm. Races on Juliana Street, starting at Vondersmith Avenue and ending at Butler Avenue,
- Closing of these streets from 1pm through 7pm:
 - ✓ South Juliana Street - from East Penn Street to East Watson Street
 - ✓ Butler Avenue - from South Juliana Street to Lafayette Avenue
 - ✓ Lafayette Avenue - from Butler Avenue to West Vondersmith Street
 - ✓ West John Street - from Huntingdon Avenue to Lafayette Avenue
 - ✓ West Vondersmith Avenue – from Huntingdon Ave to Lafayette Ave
- No Parking signs installed Saturday night with no parking on event day from 11am-7pm

Wing Off Event

- June 10 from 1pm – 5pm with alcohol being served 1:30pm - 4:30pm.
- Lutheran Church and Presbyterian Church Quadrants of the Square
- Use of the Gazebo

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- Closing of Juliana Street from Central Way to Penn Street between 11am – 6pm
- No Parking signs installed Friday night with no parking on event day from 9am-6:00pm
- Requesting letter from the borough allowing this specific event to enable procurement of a Special Event Liquor License

Hot Summer Nights

- Two Dates to be Determined, *Third Date tabled by Council*, from 6 pm to 9 pm
- Lutheran Church and Presbyterian Church Quadrants of the Square
- Use of the Gazebo
- Closing of Juliana Street from Pitt Street to Penn Street between 4pm – 9:45pm
- “No Parking Bags” placed by 2pm
- Letter from the Borough allowing these 3 specific events (and the rain date) to enable procurement of a Special Event Liquor License

Independence Day Celebration

- July 4 at the Fort Bedford Park from 5pm – 11pm
- Closure of entire Fort Bedford Park area from 12pm – 12am
- Roads leading into the park closed from 12pm – 12am
- No Parking signs installed the day before (Monday 7/3) with no parking on event day from 12pm – 12am

RiverFest

- August 12 & 13 (rain date August 19 & 20) Fort Bedford Park
- August 12 or rain date August 19 11am – 11pm with alcohol being served from 6:30-9:30
- August 13 or rain date August 20 – 11am – 6pm
- Closure of entire Fort Bedford Park area and road leading into park area for Friday, August 11 12pm through Sunday, August 13 8pm
- Use of river on Saturday from 11am – 11pm
- Requesting letter from the borough allowing this specific event to enable procurement of a Special Event Liquor License
- No Parking signs installed Thursday night with no parking on Friday 12pm through Sunday 8pm

Farm to Table Dinner

- October 1 (rain date October 22) 5pm – 8pm
- Use of Lutheran Church Quadrant of the Square
- Use of the Gazebo
- Closing of Juliana Street from Central Way to Penn Street 3pm – 9pm
- No Parking signs installed Friday night with no parking on Sunday 3pm – 9pm
- Request for temporary lifting of no open container alcohol ordinance to accommodate BYOB for this event

Pumpkin Fest and Costume Promenade

- October 28 from 9am – 12pm
- Lutheran Church and Presbyterian Church Quadrants of the Square
- Use of the Gazebo
- Closing of Juliana Street from Pitt Street to Penn Street from 8:30am – 12pm
- Closing of Pitt Street from West Street to Richard Street from 8:30am – 12pm

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- No Parking signs installed Friday night with no parking on event day from 8:30am – 12pm

Christmas Family Fun

- December 2 from 5:30-8:30pm
- Lutheran Church and Presbyterian Quadrants of the Square
- Use of the Gazebo
- Closing of Juliana Street from Central Way to Penn Street between 3:30pm - 9pm
- No Parking signs installed Friday night with no parking on event day from 3:30pm-9pm

2017 Christmas Tree

Asking for permission to place a 30-40 foot Christmas tree on the Presbyterian Quadrant of the Square in November.

Other Items to Note:

- Street Lamps will be lit for merchant open house events starting on November 10 and shut off January 2
- Electric Companies and Century Link putting up overhead decorations on Sunday, November 12 starting at 6:30am with a rain date of November 19
- Overhead lights will be turned on November 22 through January 2

Motion was carried by unanimous vote (7-0).

Councilman Wehling noted two work days were scheduled for maintenance on the Heritage Trail on September 11 and 22, 2016. Blue stemmed grasses are to be planted and loose gravel is to be removed.

In regards to Mayor Leibfreid's inquiry about new buildings constructed in the Borough, Councilman Wehling reviewed the Zoning Ordinance. He noted that if the Ordinance is changed to reflect a steeper roof pitch of 7/12, mobile homes should be restricted in the Borough. Councilman Wehling will gather additional information.

Councilman Blackburn noted that due to dry weather, brush fires can occur quickly and no outdoor burning should be taking place. The Water Authority has issued a Mandatory Conservation Notice.

Manager Diehl presented the HARB Permit Applications:

- Linda Weyant – 227 S. Bedford Street – addition of Garden Shed – *Review Board Approved*
- Christine Hollington – 238 W. Penn Street – Roof Repair and Shingle Replacement – *Review Board Approved*
- Colleen Brenner – 308 S. Juliana Street – would like to purchase neighboring property, demolish house to provide parking and garage – *Review Board Tabled Request*
- Leo and Amie Lindemann – 148 E. Pitt Street – new signage – *Review Board Approved*
- HARB Application *approved by Chairperson submitted after the August HARB Meeting* – Hometown Bank – 220 S. Thomas Street – replace existing windows, soffit and fascia with identical color and materials (white vinyl)

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Motion was made by Councilman Weaverling, seconded by Councilman Wehling, to approve the above HARB applications and table the application received from 403 S. Juliana (Bedford Dental Health Center) on 09-02-2016 to paint two doors and repaint two signs. Motion was approved by unanimous vote (7-0).

Manager Diehl shared that letter(s) were sent from Pennsylvania Municipal Code Alliance, Inc. (PMCA) – July 25 through August 25, 2016 went to property owners on W. John Street, Lincoln Drive, W. Pitt Street, S. Richard Street, Spring Street, Mann Street, Union Street and S. Juliana Street.

Manager Diehl shared that a Native American Exhibit is \$3,000.00 short of being fully funded at the Fort Museum. Councilman Rinscheid recommended that Council not fund the project. A fundraising effort is scheduled.

Manager Diehl shared that via the COSTARS website, we learned that the PA Department of General Services has negotiated a contract with Detroit Salt to renew the Sodium Chloride Contract for the upcoming 2016-2017 winter season (August 1, 2016 – July 31, 2017) rather than rebidding. The new contract will be for 16.4% less than then the 2015-2016 Contract or approximately \$64.85 per ton. (Ex. - 400 ton @ \$64.85 = \$25,940.⁰⁰)

2012-2013– Used 325 tons @ \$71.45/ton = \$23,221.²⁵ ~ w/American Rock Salt
2013-2014 – Used 475 tons @ \$69.51/ton = \$33,017.²⁵ ~ w/American Rock Salt
2014-2015 – Used 425 tons @ \$73.01/ton = \$31,029.²⁵ ~ w/American Rock Salt
2015-2016 – Used 250 tons @ \$75.48/ton = \$18,870.⁰⁰ ~ w/American Rock Salt

Manager Diehl asked for a motion to accept the 2017 Minimum Municipal Obligations (MMOs) for the Employees' Pension Plans. The 2017 Borough Non-Uniform Pension Plan MMO = \$51,400.88 with \$22,868.25 being allocated against the Borough General Fund 01 and \$28,532.63 being allocated against the Borough Sewer Fund 08.

The 2017 Borough Police Pension Plan MMO = \$102,767. In January of 2013 the Police Department pension members began contributing 5% of their gross pay towards their MMO. With the projected 2016 employee contribution of approximately \$13,261, the remaining balance of \$89,506 will be allocated against the Borough General Fund 01.

Of historic interest, the 2016 MMOs were: Borough Non-Uniform = \$39,469.89 with \$16,037.68 being allocated against the Borough General Fund 01 and \$23,432.21 being allocated against the Borough Sewer Fund 08 AND Borough Police = \$102,907.59. We will not know for certain until October (when we receive the Commonwealth's State Aid Check) ~ whether it will cover the 2016 MMO costs.

Motion was made by Councilman Wehling, seconded by Councilman Weaverling, to accept the 2017 Minimum Municipal Obligations (MMOs) for the Employees' Pension Plans. Motion was approved by unanimous vote (7-0).

Motion was made by Councilman Cessna, seconded by Councilman Neff, to authorize advertising for Bid Quotations for Sludge Hauling, Ferrous Sulfate, Magnesium Hydroxide, and

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Heating Oil for the Wastewater Treatment Plant. Bids will be opened at the October Council Meeting. Motion was approved by unanimous vote (7-0).

The Borough Planning Commission met on Thursday, August 18th and discussed a request from Shawn P. & Julie S. Davidson to sub-divide the lot shown on the FINAL SUBDIVISION PLAN (detailed information within your Council packets). Remaining Lot #1 (Shawn & Julie Davidson) and a proposed Lot #2 from land of Shawn P. Davidson R.B. 1559 PG. 687 Tax ID: E9-D4-95.

Motion by Mr. George, seconded by Mr. Blackburn, to approve the sub-division on the current lot mentioned above with the stipulation that a new FINAL SUBDIVISION PLAN be presented reflecting the recommendation by the Bedford County Planning Commission on Section 403.2.D. The FINAL SUBDIVISION PLAN presented on August 18th was prepared by Rick Steele (P.L.S.) - dated June 8, 2016. Motion approved by unanimous vote (4-0).

Motion was made by Councilman Wehling, seconded by Councilman Cessna, to formally approve the Planning Commission's recommendation. Motion was approved by unanimous vote (7-0).

Manager Diehl shared that on September 1st, the Borough office received a check from EMC Insurance Companies in the amount of \$17,485.98. This dividend was made possible due to our participation in the Safety Group Insurance Program through EMC – for good loss experience. That amount was deposited as follows: \$10,666.45 to Borough General Fund 01 and \$6,819.53 to the Borough Sewer Fund 08. (FYI – our check in 2015 was for \$10,951.51. That amount was deposited as \$6,680.42 to Borough General Fund 01 and \$4,271.09 to the Borough Sewer Fund 08.)

There being no further business, a motion to adjourn was made and carried at 8:12 p.m.

Borough Secretary