

Borough Council

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

Due to illness, President Lemley asked Councilman Wehling to chair the meeting. Meeting was called to order by Councilman Wehling at 7:00 pm.

Motion was made by Councilman Cessna, seconded by Councilman Neff, to approve the Minutes of the October 3, 2016 Regular Meeting. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Rinscheid, seconded by Councilman Blackburn, to approve the list of bills from October 4 through November 7, 2016. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Neff, seconded by Councilman Cessna, to approve the Treasurer's Report for November 7, 2016. Motion was carried by unanimous vote (6-0).

Police Chief Jim Sigler arrived at 7:03 pm.

Dr. Bracken, 539 E. Pitt Street, concerned about waste collectors (Burgmeier's Hauling and Weaver's Sanitation Service) picking up at Pitt Pack & Ship and R & J's Tavern spoke at the September 6 and October 3, 2016 meetings about waste haulers emptying receptacles prior to 6am. Dr. Bracken spoke in regards to Ordinance 10 – Health and Safety, Part 3 - Maximum Sound Levels.

Dr. Bracken shared from the Purpose and Scope as written in the Ordinance. "These regulations and prohibitions are intended to protect the physical, mental and social well-being of the residents of the Borough of Bedford." Dr. Bracken stated that under Subsection 306, paragraph 4, utility is not for argument. Dr. Bracken asked Council to protect the citizens and uphold the Ordinance. He asked that if the waste collectors continue to operate prior to the hours listed in the Ordinance that the owner and operator be fined at the maximum allowable.

Councilman Cessna presented the following Event Requests:

Motion was made by Councilman Lemley, seconded by Councilman Rinscheid, to approve a request from Downtown Bedford, Inc., in conjunction with the Bedford County Veteran's Affairs Office, and Dean Clark the Chief of Staff/Financial Officer of the Department of PA of The Military Order of the Purple Heart to have a dedication for the Purple Heart Trail and for Bedford as a Purple Heart Town on Thursday, November 10th at 11:00am on the Post Office Quadrant of the Square from 10:00am through 12:30pm. Motion was approved by unanimous vote (6-0).

Motion was made by Councilman Lemley, seconded by Councilman Neff, to approve a Lights of Love Tree and Sign sponsored by Home Nursing Agency. The tree and sign are to be placed on the Square beginning November 14<sup>th</sup> with lighting on November 21<sup>st</sup>. Tree will be removed January 6, 2017. The purpose of the sign is to promote and encourage/educate the Bedford Community about Hospice & Grief Services available to residents. Motion was approved by unanimous vote (6-0).

Councilman Wehling noted that he emailed the minutes from the most recent DBI meeting to Council Members.

Councilman Neff noted that the Bedford Heritage Trust would winterize the Fort Bedford Museum in early December.

Councilman Wehling noted that the deck on the bridge closest to the Omni Bedford Springs on the Bedford Heritage Trail was being replaced due to significant wear. The repair is being performed under warranty.

Councilman Wehling noted that the Ordinance Review Committee met on Friday October 14, 2016 to discuss the following Ordinances:

- Chapter 10 HEALTH & SAFETY
  - Noise Ordinance (Referenced on pages 10-16 and 10-17)
  - §306 Noise Limitations
- Chapter 7 FIRE PREVENTION AND FIRE PROTECTION
  - (Referenced on page 7-7)
  - §202 Regulations
- Chapter 27 ZONING
  - (Referenced on page 27-21)
  - §301 General Provisions

Discussion on any possible changes to the Noise Ordinance commenced with the notation that Weaver's Sanitation replaced the dumpster at 539 E. Pitt Street and has been picking up at 6 am or later, but the dumpster at Giant Eagle and other business are emptied as early as 3:20 am. Solicitor Crabtree noted that Section 306, paragraph 5 noted that there is no time listed in regards to handling refuse cans and that in the past one contractor has been considered to eliminate the noise. Manager Diehl asked that action on Chapter 10 Health and Safety, Noise Ordinance, §306, be tabled until Council is further able to discuss. Motion was made Councilman Cessna, seconded by Councilman Lemley, to table action. Motion was approved by unanimous vote (6-0).

Solicitor Crabtree shared that changing Chapter 7, Fire Prevention and Fire Protection, §202 Regulations, would need clarification of open burning. Open burning could be classified as grills, fire pits, etc. Motion was made by Councilman Cessna, seconded by Councilman Lemley, to table any changes to the Ordinance until language is clarified. Motion was approved by unanimous vote (6-0).

Motion was made by Councilman Cessna, seconded by Councilman Lemley, to approve the advertisement of a change to Chapter 27 Zoning, §301 General Provisions, which would prohibit a roof pitch of less than 7/12” (7 inches vertical rise over 12 horizontal inches). Motion was approved by unanimous vote (6-0).

Manager Diehl presented the HARB Permit Applications:

- Carol French and Craig Hampson - 233 E. John Street – would like to purchase 233 E. John Street property, but would like approval to make certain exterior changes before committing to purchasing. Exterior changes include removing existing vinyl siding to expose original exterior and painting original exterior with period appropriate colors. Additionally, they’d eventually like to add a shed and garage to the property. *Concept is Review Board Approved – Details must be presented in future HARB requests*
- Judy Slick – 244 E. Penn Street – Install Vinyl Storm Door – *Review Board Approved*
- William Defibaugh for Rick Miller – 112 S. Richard Street – Addendum to add 2 Columns – *Review Board Approved*
- DBI – Installation of Town Map on FNB Bank at 124 S. Juliana – Map will face Square – *Review Board Approved*
- DBI & Bedford Heritage Trust – Update the Current Map similar to the Heritage Trail signs at the base of the Fort Bedford Museum property AND a second sign is requested with background on the Purple Heart Trail. Both signs would be placed on concrete side by side and be handicapped accessible. – *Review Board Approved*
- Dino Saracino – 339 S. Richard Street – Remove Dormers that were added in the 1920s to restore to original structure – *Review Board Approved*

Motion was made by Councilman Neff, seconded by Councilman Cessna, to table the HARB application for 233 E. John Street and approve the remaining HARB applications. Motion was carried by unanimous vote (6-0).

Manager Diehl shared that letter(s) were sent from Pennsylvania Municipal Code Alliance, Inc. (PMCA) – from September 30, 2016 through October 27, 2016 went to property owners on E. Penn Street, S. Juliana Street, E. Pitt Street, W. Watson Street, Spring Street and W. Pitt Street.

Manager Diehl shared that under the 2016 Paving Program, the paving was completed by NES&L on Thursday, October 20, 2016.

Manager Diehl reminded Council that a Budget Work Session would be held on the Fire Hall Side of the Borough Building on Sunday, November 30, 2016 at 5:30 pm.

Motion was made by Mr. Lemley, seconded by Mr. Neff, to reappoint:

- Ted Chwatek – Civil Service Commission – 6-Year Term (Expires 11/2016)
- Jeremy Speicher – Water Authority – 5-Year Term (Expires 01/2017)
- Chris Bullington – Municipal Authority – 5-Year Term (Expires 01/2017)
- Richard Berkebile – Zoning Hearing Board – 5-Year Term (Expires 01/2017)
- John Cessna – Tree Commission – 5-Year Term (Expires 01/2017)
- Joshua Leibfreid – Bedford Joint Municipal Authority – 5-Year Term (Expires 12/31/2016)

Motion was carried by unanimous vote (6-0).

Manager Diehl shared that she received a draft copy of the PEMA Project Worksheet on October 19, 2016. The claim from the January 2016 snowstorm showed the claim finalized at \$21,813.36.

There being no further business, a motion to adjourn was made and carried at 7:42 p.m.

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Borough Secretary