

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, Jeff Rinscheid, William Blackburn and Patrick Neff. Mayor William Leibfreid, Borough Manager Barbara Diehl, Borough Secretary Beverly Geller, Solicitor Dean Crabtree and Junior Council Person Michaela Musselman were also present. Police Chief Jim Sigler was absent.

Motion was made by Councilman Wehling, seconded by Councilman Neff, to approve the Minutes of the January 3, 2017 Regular Meeting. Motion was carried by unanimous vote (7-0).

Motion was made by Councilman Blackburn, seconded by Councilman Rinscheid, to approve the list of bills from January 4, 2017 through February 6, 2017. Motion was carried by unanimous vote (7-0).

Motion was made by Councilman Blackburn, seconded by Councilman Cessna, to approve the Treasurer's Report for February 6, 2017. Motion was carried by unanimous vote (7-0).

Richard Lowe, 511 E. Penn Street, spoke to Council about the proposed Noise Ordinance change. Mr. Lowe shared that noise from trucks loading and unloading begins at Giant Eagle as early as 3:41 am. He noted that the Ordinance change would not solve the problem, but only "shift the problem". Mr. Lowe asked that the Ordinance not be changed, but the current Ordinance be enforced as adopted.

Mayor Leibfreid shared the Monthly Police Statistics with Council.

Motion was made by Councilman Wehling, seconded by Councilman Weaverling, to adopt Ordinance 2017-02 - to amend the Code of Ordinances of the Borough of Bedford, Chapter 10, Health and Safety, Section 306(4) and (5) to read as follows:

4. Equipment Noise. It shall be unlawful for any person to use any pile driver, shovel, hammer, derrick, hoist, tractor, roller or other mechanical equipment operated by fuel or electric power, from 9 P.M. to 6 A.M. of the following day, except for emergency work on public improvements, work of public utilities or municipal services. Commercial trash collection shall be unlawful from 9 P.M. to 4 A.M. of the following day.
5. Noise in Handling Refuse Cans. No person shall make any unnecessary noise in the handling of ash, trash or garbage cans, dumpsters or other trash or garbage receptacles, either in loading or unloading, whether full or empty.

Motion carried by a 6-0 roll call vote, Councilman Lemley – aye, Councilman Weaverling – aye, Councilman Wehling – aye, Councilman Cessna – aye, Councilman Neff – aye, Councilman Rinscheid – abstain, and Councilman Blackburn – aye. Councilman Rinscheid noted that approving the Ordinance would not fix the problem, therefore abstaining.

Solicitor Crabtree requested an Executive Session in regards to the Anderson House.

Motion was made by Councilman Lemley, seconded by Councilman Rinscheid, to advertise the vacating of Lafayette Avenue at the request of Charlotte Z.G. Wallace and Keenan Fink. Lafayette Avenue is not a sole means of access for residents and there are no rights of way for water or sewer lines. Motion was carried by unanimous vote (7-0).

Councilman Cessna presented a request from DBI to change the date of the BED Race from Memorial Day weekend (May 28th) to right before the Wing Off Event on Saturday, June 10th. There would be no additional change to the original street closures – except for the safety of pedestrians crossing Penn Street (going from the BED Race to the Wing Off Event). Request from DBI asks that the Borough Police Department direct traffic from 12:00pm – 1:00pm so pedestrians can safely cross Penn Street in order to attend the Wing Off Event.

The original request from DBI was presented at the September 6, 2016 Council Meeting:

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 Avenue to Lafayette Avenue*
- *No Parking signs installed Saturday night with no parking on event day from 11am-7pm*
- *See Attached Map of Street Closures Requested*

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*
- *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*

Motion was made by Councilman Weaverling, seconded by Councilman Cessna, to combine the Bed Race and Wing Off Events. Motion was carried by unanimous vote (7-0).

Motion was made by Councilman Wehling, seconded by Councilman Neff, to approve the request from Nancy MacRae, The Pennsylvania Consort, to use the Gazebo for Sunday afternoons from 2 to 3 pm on June 18, June 25, July 2, July 9, July 16 and July 23 for the Summer Music on the Square concerts. No street closings are required. Motion was carried by unanimous vote (7-0).

February 6, 2017

Councilman Wehling noted that the DBI Executive Committee met and discussed the agreement with the Borough. Cliff Clark, Michael Lamb and Tonya Grimes would like to attend the Council Workshop on February 21, 2017.

Councilman Wehling noted that Borough Manager Diehl ordered larger signs to be placed at the Springs trail head to discourage overnight parking. Borough Police will work on enforcement.

Manager Diehl shared that no HARB permits were received.

Manager Diehl reported that one letter was sent from Pennsylvania Municipal Code Alliance, Inc. (PMCA) – from December 29, 2016 to January 31, 2017 went to a property owner on East Penn Street.

A letter was received January 12th from the Bedford County Commissioner's Office noting that beginning in 2017, individuals who run for Borough Tax Collector must submit a criminal background check with the petition. This requirement is for individuals who currently do not hold a Tax Collector position.

Motion was made by Councilman Wehling, seconded by Councilman Cessna, issuing a Resolution of Appreciation for Randy Mellott, who resigned on December 19, 2016 after 30 years as a member and most recently Chairman of the Bedford Borough Water Authority. Motion was approved by unanimous vote (7-0).

Manager Diehl reminded Council Members to complete and return their Statement of Financial Interest Forms.

Motion was made by Councilman Wehling, seconded by Councilman Neff, to authorize Stiffler McGraw & Associates, Inc (SMAI) to proceed with the \$8,000 expense (cost divided between Borough, Water Authority and Municipal Authority) in order to reinforce the needed joists below the Fire Department floor. Motion was carried by unanimous vote (7-0).

Council entered Executive Session to discuss the Anderson House at 7:31 pm.

Council exited Executive Session at 8:28 pm.

There being no further business, a motion to adjourn was made and carried at 8:28 pm.

Borough Secretary