

Borough Council

The Regular Meeting of the Bedford Borough Council was held on the above date with the following Council Members present, Tim Weaverling, Jim Wehling, John Cessna, William Blackburn and Patrick Neff. Mayor William Leibfreid, Borough Manager Barbara Diehl, Borough Secretary Beverly Geller and Solicitor Dean Crabtree were also present. Councilman Dean Lemley was absent. Councilman Jeff Rinscheid arrived at 7:21 p.m.

Dave and Mary Heller, owners of Olde Bedford Brewing Company, addressed Council seeking one Transient Retail License that would cover multiple food trucks. The Hellers are proposing that one food truck at a time be on the premises to offer food service to the customers at the establishment located inside Fat Jimmy's Outfitters at 109 Railroad Street. Mrs. Heller noted that the food trucks would only be onsite when the Brewery is open and for approximately a three to four-hour time period. The Brewery would offer seating both indoors and outdoors for customers of the food trucks.

Mr. Heller asked how Hot Summer Nights differs from his request. Solicitor Crabtree noted that in the case of Hot Summer Nights, a sponsoring agency keeps track of who is engaging in business. Mr. Heller noted that if granted the Transient Retail License, Olde Bedford Brewing Company would be the sponsoring agency.

Solicitor Crabtree noted that the present Ordinance would need changed to honor the Heller's request. Councilman Weaverling noted that the discussion would continue at the upcoming August 15, 2017 Council Workshop.

Motion was made by Councilman Cessna, seconded by Councilman Neff, to approve the Minutes of the July 3, 2017 Regular Meeting. Motion was carried by unanimous vote (5-0).

Motion was made by Councilman Wehling, seconded by Councilman Neff, to approve the list of bills from July 4, 2017 to August 7, 2017. Motion was carried by unanimous vote (5-0).

Motion was made by Councilman Blackburn, seconded by Councilman Cessna, to approve the Treasurer's Report for August 7, 2017. Motion was carried by unanimous vote (5-0).

Mayor Leibfreid shared the Monthly Police Statistics with Council.

Mayor Leibfreid, on behalf of Council, congratulated the Animatronics Team of Bedford High School. The team members, Nathaniel Semanek, Caitlyn Brenner, Allison Pittman and Casey Johnson, spent more than 400 hours designing, creating and coding the device and won the national animatronics competition for the second year in a row. The first-place win was received during the Technology Student Association National Conference (held in Orlando, Florida) – for the success of their “Thomas Edison” animatronics. The animatronics could walk, talk and engage the audience with a presentation about the light bulbs creation.

Solicitor Crabtree shared that a Zoning Hearing Application was received for a property on N. Thomas Street. The variance request is for a setback for a first-floor bathroom due to a medical

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condition. There is currently a porch encroaching within the setback. The request is to extend the porch to add the handicapped accessible bathroom. The extension will be 5' 10" by 9' 7" and will not extend past the current structure. The Zoning Heard Board will meet on Monday, August 14<sup>th</sup> @ 10am – at the Borough Office.

Motion was made by Councilman Wehling, seconded by Councilman Blackburn, to approve the adoption of Ordinance 2017-03 amending Chapter 7, Fire Prevention and Protection, Part 2, replacing Section 202 ---Regulations. Motion carried by a 5-0 roll call vote, Councilman Weaverling – aye, Councilman Wehling – aye, Councilman Cessna – aye, Councilman Neff – aye, and Councilman Blackburn – aye.

Councilman Rinscheid arrived at 7:21 p.m.

Motion was made by Councilman Wehling, seconded by Councilman Cessna, to approve the request from the United Way of Bedford County for the installation of their Apple Tree Campaign Progress Board in the square near the Post Office from mid August 2017 to April 2018. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Neff, seconded by Councilman Wehling, to approve the request from Precious Life of Bedford County to hold the annual “Walk for Life” parade on Saturday, September 16, 2017 from 10 a.m. until 11:30 a.m. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Neff, seconded by Councilman Cessna, to approve the request from the Bedford Rotary Club to hold a Water Walk on Saturday, September 1, 2017 from 10 a.m. until 11 a.m. It was noted that the “Walk for Life” and “Water Walk” scheduled for the same day, followed different routes. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Neff, seconded by Councilman Cessna, to approve a rain date of Thursday, September 21, 2017 for the Chamber of Commerce “Downtown on the Farm”. The event was approved for Thursday, September 7, 2017, but a rain date was omitted from the original request. Motion was carried by unanimous vote (6-0).

Councilman Wehling noted that Gwen Querry was leaving DBI and a search was beginning for a replacement.

Councilman Rinscheid noted that he would forward financial information from the quarterly Bedford Heritage Trust meeting held on July 27, 2017.

Councilman Wehling noted that the Bedford Joint Municipal Authority Board submitted a grant application for the design and construction in the amount of \$290,000 for the north extension of the Bedford Heritage Trail. A response from DCED is expected in the fall.

Councilman Rinscheid noted that with assistance from the Bedford County Jail inmates a new roof was added to the pavilion and tables were stripped and painted at the Greens. The inmates have also been working at the Fort Museum stripping and painting picnic tables and the stairs.

Manager Diehl noted that the Water Authority and Chamber of Commerce along with the Borough Street Department have been working with the inmates and the inmates have done an excellent job on all the projects.

Councilman Wehling noted the WWI Elm Tree is dead and needs to be removed. He noted that a replacement could not be located at the same spot and suggested the WWI stone be moved and a tree planted in the current location of the stone. Councilman Wehling also shared that a maple was also mentioned to be planted close to the Post Office (at least 25 feet from sidewalks and power lines).

Manager Diehl presented the following HARB applications:

- Juli's Wearable Art – 100 E. Pitt Street - Install stationary window and trim
- Pinnacle Computer – 102 E. Pitt Street – Replace awning
- Deepwood Gallery – 104 E. Pitt Street – Replace awning
- G & L Gems – 121 E. Pitt Street – Paint storefront and clean/seal copper
- Peppercorn – 113 S Juliana – Signage
- Dively – 216 W John St – Metal Roof Over, Addition of Shed
- Bluefield's Herbery – 144 E Pitt St – Signage
- Victorian Finance – 121 E Penn St – Signage
- Snyder – 239 S Richard – Remove Fence and Planter, Relocate Boxwoods to former location of fence, install window boxes
- Arnold – 328 E Penn St – Replace Front Screen Door, Add 2 Fence Panels
- Gigi's – 129 S Juliana – New Projecting Sign (Design approved previously- New Colors)
- Tisia Maxwell Insurance Agency – 130 S Juliana – Move Projecting Sign to new location
- Bardell/Wise – 220 E Central Way – painting; replace broken glass; new soffit, fascia, gutters and downspouts; new metal roof; addition of vinyl siding in the gables; new steps and deck.

*All applications were Review Board Approved.*

Motion was made by Councilman Neff, seconded by Councilman Rinscheid, approving the HARB applications. Motion was carried by unanimous vote (6-0).

Manager Diehl shared that issues were addressed via letter, by telephone and in-person visits by the Pennsylvania Municipal Code Alliance, Inc. (PMCA) – from June 21, 2017 to July 23, 2017 with property owners on N. Juliana, S. Juliana, S. Richard, W. Pitt, Spring and W. Penn Streets along with Vondersmith Avenue, Barclay Drive and Central Way.

Motion was made by Councilman Wehling, seconded by Councilman Neff, to accept the 2018 Minimum Municipal Obligation (MMO) for the Police Pension Plan of \$103,381. The projected 2018 employee contributions of approximately \$13,704 (5% of wages) would leave the remaining balance of \$89,677 to be allocated against the Borough General Fund 01. *(The 2017 MMO is \$102,907.59 --- projected employee contributions of \$13,261 and \$89,506 budgeted against Fund 01).* Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Cessna, seconded by Councilman Wehling, to advertise the Ordinance for the amendment of the Municipal Pension Plan administered by PMRS. Future eligible employees will be enrolled in a Cash Balance Plan effective October 1, 2017, contingent upon PMRS approval. Motion was carried by unanimous vote (6-0).

Manager Diehl shared that a check was received on August 3, 2017 from EMC Insurance Companies in the amount of \$2,858.94. 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: \$1,743.95 to Borough General Fund 01 and \$1,114.99 to the Borough Sewer Fund 08.

- *In 2016, it was for \$17,485.98. That amount was deposited as \$10,666.45 to Borough General Fund 01 and \$6,819.53 to the Borough Sewer Fund 08.*
- *In 2015, it 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.*

Via our annual email notification from COSTARS, we learned that the PA Department of General Services has negotiated a contract with Detroit Salt Company to renew the Sodium Chloride Contract for the upcoming 2017-2018 winter season (August 1, 2017 – July 31, 2018) rather than rebidding. The new contract will be frozen at the 2016-2017 level. The minimum requirements for 2016-2017 were waived and there will be no storage fees associated. *The Borough will remain with our supplier (Detroit Salt Company) at a rate of \$64.85 per ton. We estimate that 400 tons could potentially be needed. We are legally obligated to purchase at least 60% (240 tons) of our stated need. We can purchase up to a total of 140% (560 tons) of our required amount.*

2012-2013– Used 325 tons @ \$71.45/ton = \$23,221.<sup>25</sup> ~ w/American Rock Salt  
2013-2014 – Used 475 tons @ \$69.51/ton = \$33,017.<sup>25</sup> ~ w/American Rock Salt  
2014-2015 – Used 425 tons @ \$73.01/ton = \$31,029.<sup>25</sup> ~ w/American Rock Salt  
2015-2016 – Used 250 tons @ \$75.48/ton = \$18,870.<sup>00</sup> ~ w/American Rock Salt  
2016-2017– Used 255 tons @ \$64.85/ton = \$16,519.<sup>89</sup> ~ w/American Rock Salt

Manager Diehl initiated discussion on removal of the Elm tree (planted April 25, 1919) in the Federal Square – more commonly known as the Veteran’s Grove Square. The Bedford Civic Club planted this memorial tree in honor of the following men and a nurse who made the supreme sacrifice during World War I: Sergeant Cyril J. Straub, Private F. Guy Bollinger, Lieutenant Alexander M. Russell, Corporal Howard P. Booty, Sergeant Charles B. Leader and Nurse Mildred Parsons. The Stone/Bronze marker (beside the tree) was unveiled on July 25, 1920. The Bronze marker is deteriorating badly and the League of Pretty Good Guys is interested in taking on this project to replace the marker and is considering replacing the dead tree with a new elm tree on Thursday, April 25, 2019 (100 years) or on Wednesday, April 25, 2018 (99 years).

Motion was made by Councilman Cessna, seconded by Councilman Wehling, to move forward with the removal of the WWI Elm Tree. Motion was carried by unanimous vote (6-0). Manager Diehl will seek phone bids for removal of the Elm Tree.

There being no further business, a motion to adjourn was made and carried at 7:45 p.m.