

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, Jeff Rinscheid 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 Dean Lemley was absent.

Vice-President Weaverling called the meeting to order by bringing attention to the mass shooting in Las Vegas where 58 individuals lost their lives and over 500 were injured.

Councilman Weaverling also noted the passing of retired Bedford Borough Water Authority employee Jim Wilson. Mr. Wilson worked for Borough entities for 37 years. Mr. Wilson worked first in the Public Works Department and then for the Water Authority.

Motion was made by Councilman Cessna, seconded by Councilman Wehling, to approve the Minutes of the September 5, 2017 Regular Meeting. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Blackburn, seconded by Councilman Wehling, to approve the list of bills from September 6, 2017 to October 2, 2017. Motion was carried by unanimous vote (6-0).

Motion was made by Councilman Cessna, seconded by Councilman Rinscheid, to approve the Treasurer's Report for October 2, 2017. Motion was carried by unanimous vote (6-0).

Bid Openings for the Wastewater Treatment Plant (WWTP) and Mowing were opened.

Ferrous Sulfate – Evoqua Water Technologies --- \$0.834 per gallon (approximately \$29,190.00)

Heating Oil – SAC, Inc. \$2.159 per gallon and Bedford Valley Petroleum Corporation *\$2.1864 per gallon

Bio-Solids Removal - Little Enterprises Waste Hauling .082 surface spreading and .087 subsurface injection

Mowing – Spring to Fall Lawn Maintenance – 2-year contract at \$13,050.00 (\$6,525.00 annually) and 3-year contract at \$20,500.00 (\$6,833.33 annually)

Motion was made by Councilman Blackburn, seconded by Councilman Wehling, to award contracts to Evoqua for Ferrous Sulfate, SAC, Inc. for heating oil, Little Enterprises for surface and sub-surface spreading and a 2-year contract to Spring to Fall for mowing. Motion was carried by unanimous vote (6-0).

Mayor Leibfreid shared the Monthly Police Statistics with Council and proclaimed Tuesday, October 31, 2017 as Trick or Treat night from 6pm to 8 pm. Mayor Leibfreid shared that

Monday October 23, 2017 will be the Bedford Elks Halloween parade with a rain date of Wednesday October 29th. DBI's Pumpkin Fest/Halloween Promenade will be Saturday, October 25th from 9 am to Noon.

Councilman Weaverling noted the Agenda calls for an official motion to present an Agreement to Downtown Bedford, Inc. (DBI). Councilman Weaverling noted that upon receiving Council's Draft of the Agreement on September 15th, DBI made several requests to Council for consideration. Council discussed the requests during their September 19th Workshop Session and decided to move forward with a motion to adhere to the Agreement as presented on September 15th with the only additional change being to l.c. which shall now read 'assist the Municipality in other improvement projects'. Thus, eliminating the language 'such as the initiation of an Elm Street program to the extent the same is available and appropriate for the Municipality'. Councilman Weaverling noted the Agreement reduces funding from \$55,000.00 a year to \$30,000.00 a year and reduces the Agreement from five years to three years.

Councilman Wehling stressed that the relationship between the Borough and DBI is a partnership and asked that language be added to show collaboration between the Borough and DBI. Councilman Wehling proposed that additional wording be added as a) under number 4--- "Assist the DBI with projects of mutual interest as approved by Council, such as improvements to street and buildings and maintaining niche retail in the main street area".

After several minutes of discussion, Councilman Neff stated that the 4th Whereas clause at the beginning of the Agreement (**Whereas**, the Municipality desires to maintain the momentum of the various programs established and administered by D.B.I.) is largely the same as the language Councilman Wehling is requesting to add and felt no additional language was required. Councilman Wehling made the motion to add the language, but without a second the motion was lost.

Motion was made by Councilman Neff, seconded by Councilman Rinscheid, to present the DBI Agreement as presented. Motion was carried (5-1) with Councilman Wehling voting against the Motion.

Solicitor Crabtree shared that a Variance Request will be submitted by Anne Morgan and Don Arnold for a property at Arnold Park (corner of Jefferson & Butler) for the setbacks at the corner lot. Depending upon the request, he can be available to represent the Borough once the request is received and reviewed.

Councilman Cessna shared that Councilman Wehling and Manager Diehl are working with PENNDOT regarding possible new signage at our major intersections. Manager Diehl has requested a revised traffic control signal permit from PENNDOT to include the signs. The analysis process has begun – Council Members will be updated as this project moves forward

Councilman Wehling noted that DBI has hired Tabitha Barbarito as the new Assistant Manager. Tabitha has experience in grant writing and redevelopment.

Councilman Weaverling extended Congratulations to Bo Ford on his new position as Public Works Superintendent. Bo served most recently as Assistant Superintendent and has displayed outstanding leadership qualities. His desire to acquire knowledge of the operation and maintenance of the Public Works Department as well as his overall performance has been commendable.

Motion was made by Councilman Cessna, seconded by Councilman Rinscheid, to grant Dennis Tice (League of Pretty Good Guys) permission to accept the generous donation from an individual to install a new Elm Tree in the Federal Square (close proximity to the tree recently removed). Anonymity is the individual's only desire and the gift of \$2,800+ will assist with this purchase and installation. Motion was carried by unanimous vote (6-0).

Councilman Wehling noted that the Ordinance Review Committee is suggesting the elimination of the handicapped parking space on the east side of Juliana Street across from First National Bank and the elimination of the Handicapped space outside Dr. Markwood's old Office (currently Howard Hanna office). The Review Committee is also suggesting the first space on East Pitt Street be converted into a 15-minute parking space. Motion was made by Councilman Cessna, seconded by Councilman Wehling, to grant permission for Solicitor Crabtree to draft the Ordinance change. Motion was carried by unanimous vote (6-0).

Councilman Wehling noted that the Ordinance Review Committee is suggesting that the Transient License Ordinance remain, but that the hours be extended to 9am to 8pm Monday through Saturday and Sundays and Holidays 12 noon to 8 pm. After discussion there are several issues that need additional clarification – zoning, whether at a private party or selling to the public, etc. Solicitor Crabtree noted that the original transient license was crafted for the door to door salesperson. Council agrees to further discuss the issue.

Manager Diehl presented the following *Review Board Approved* HARB applications:

- BC Stone – 144 W. Pitt Street - Painting – Same Color
- Tim and Michelle Sotirokos – 329 E. Penn Street – Storage Shed
- Steven Karns – 153 W. John Street – Painting – Porch Enclosure
- Elizabeth Cushwa – 230 E. Pitt Street – Replace Roof
- Raymond & Linda Weyant – 227 S Bedford Street – Replacement Windows
- Trinity Lutheran Church – 106 W Penn Street – Paint Doors Reformation Red

One Application was tabled by HARB until the October HARB Meeting --- Kenny Fetterman – Huntingdon Avenue Mural – 126 E Pitt Street.

Motion was made by Councilman Neff, seconded by Councilman Wehling, approving the HARB applications and tabling of the 126 E Pitt Street - Fetterman Application. 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 August 30, 2017 to September 25, 2017 with property owners on Hall, S. Thomas, Penn, Pitt, North, Richard, John and Bedford Streets along with Central Way.

October 2, 2017

The Estimated Liquid Fuels (Act 655) Allocation for 2018 in the amount of \$104,246.70 was received on September 11, 2017. In 2017 the amount received was \$99,043.02 and the amount received in 2016 was \$94,191.84

Motion was made by Councilman Cessna, seconded by Councilman Neff, to advertise, interview, and hire for the WWTP position of Wastewater Department Mechanic (Trainee) and the position of Public Works Department Laborer. The start date for these positions would be on/before Monday, October 30th. Motion was carried by unanimous vote (6-0).

On September 27th, the Borough Office received the 2017 General Municipal Pension System State Aid via direct deposit in the amount of \$87,176.81.

- *In 2015, State Aid was received in the amount of \$78,416.69 (\$52,405.76 Borough and \$26,010.93 Sewer Fund). \$40,196.47 of Pension Aid went toward the Non-Uniform Pension and \$38,220.22 went toward the Police Pension.*
- *In 2016, the Borough received State Aid in the amount of \$78,743.63 (\$55,311.42 Borough and \$23,432.21 Sewer Fund). \$39,469.89 of Pension Aid went toward the Non-Uniform Pension and \$39,273.74 went toward the Police Pension.*

The 2017 Police Pension Plan MMO is \$89,506 (estimated with employee contribution factored in/actual total is \$102,767.00 and the Non-Uniform Pension Plan MMO is \$51,400.88 (\$22,868.25 Borough General Fund + \$28,532.63 Sewer Fund). Totaling - \$140,906.88

Motion was made by Councilman Wehling, seconded by Councilman Rinscheid, to apply State Aid in the amount of \$35,775.93 to the Police Pension and the remaining \$51,400.88 to the Non-Uniform Pension. Motion was carried by unanimous vote (6-0).

Council entered Executive Session at 8:05 pm to discuss possible litigation issues.

Council exited Executive Session at 8:19 pm.

Motion was made by Councilman Cessna, seconded by Councilman Rinscheid, granting permission for Solicitor Crabtree to start the process to address the Fort Bedford Park boundary issues with four (4) property owners. Motion was carried by unanimous vote (6-0).

There being no further business, a motion to adjourn was made and carried at 8:20 p.m.

Borough Secretary