

Bellefonte Town Meeting
Minutes
November 10, 2014

Attending: Brandon Dougherty, Scott MacKenzie, and Gary Russo and Curt Nass.

Absent: Ross Logan, Keith Hughes

Scott called the Town Meeting to order and asked for a motion to reorder the agenda to consider Ordinance 2014-01 and Ordinance 2014-02. A motion was made by Gary and seconded by Brandon to move agenda items 13 A and 13 B from the bottom of the agenda to the top of the agenda and the motion passed. Special Town Attorney Max Walton read the ordinances into the record.

A motion was made to accept the second reading of ordinance **2014-01 An Ordinance to Amend the Town of Bellefonte (2007) Comprehensive Plan by revising the Town of Bellefonte: Future Land Use Map to reflect a change in classification of a parcel from R-1 (Single Family Residential) to MX-2 (Mixed Use)** into the record by Scott, seconded by Gary, and the motion passed.

Scott made a motion to pass the ordinance by Scott. Gary seconded and Scott called for discussion.

Town Commissioners voiced concerns: Gary, Brandon, and Scott. Scott called for a roll call vote and asked each Commissioner to state the reasons for his vote. Gary voted yes under the recommendations of the Planning Commission. Brandon voted yes under consideration the recommendations of the Planning Commission. Scott voted yes in consideration of the recommendations of the Planning Commission. Ordinance 2014-01 has passed 3-0;

Scott made a motion to waive the full reading of Ordinance 2014-02 An Ordinance to Revise Zoning Map: Town of Bellefonte, Eastern Side Schoolhouse Lane, Between Philadelphia Pike and Wynnbrook Avenue; 0.263 Acre from R-1 (Residential 1 and 2 Family District) to MX-2 (Mixed Use 2 District) and to accept the second reading in title only, seconded by Gary and the motion passed.

A motion was made by Scott to accept the ordinance in title only. Brandon seconded. Scott called for discussion. A motion was made by Scott to accept the Deed Restrictions as presented as an amendment to 2014-02, Gary seconded. Scott called for a roll call vote of each Commissioner, asking him to state his reasons why he is voting for or against the ordinance. A voice vote was completed Brandon, Scott, and Gary: Brandon voted YES but incorporating reasons set forth by the Planning Commission. Gary voted YES but incorporating the reasons set forth by the Planning Commission. Scott voted YES but incorporating the reasons set forth by the Planning Commission.

Both ordinances have passed unanimously.

Gary made a motion to recess for 10 minutes, seconded by Brandon, and the motion passed. The Town Meeting was called back to order at 8:56 pm following a recess after the Public Hearing.

Public Comments:

- Leslie Savage shared a request that the Commission consider providing Yard Waste removal. Scott said that he had advocated the Town providing this service when Bellefonte first contracted with Waste Industries. He and Gary said that they would look into the cost of adding this service. In the meanwhile, Scott said that Waste Industries charges \$21 per quarter to pick up yard waste.
- Francis Kelleher also commented and voiced concerns over yard waste, asking that the Town consider providing periodic leave collection. Gary said he would look into it for next Spring.

Approval of Minutes:

Gary made a motion to waive the reading of and approve the minutes from the September Town Meeting, seconded by Brandon, and approved. Gary also made a motion to waive the reading of and approve the October meeting, seconded by Brandon, and the motion passed.

Building Inspectors Report

Scott reported that Kyle Bendler and BIU will stay with us as Building Inspector. Open Permits: 906 Brandywine Blvd., 1220 Brandywine Blvd., 917 Fairview, 711 Maple, and 1100 Monterey.

Plumbing Inspectors Report: No report.

Board of Adjustment Report: Brian had nothing to report

Planning Commission:

- Dave Brenner reported that we had received the comments of the State Office of Planning Coordination PLUS Review said that they had no comments or concerns regarding the request to Re-Zone 202 Schoolhouse
- There was also discussion about a property on Prospect Avenue but isn't accounted for public records and tax purposes. Scott said that he would ask the Town Solicitor for advice on this "paper road."
- There was also discussion between Commission members and David Brenner about when the apartment building at 906 Brandywine Blvd. would be assessed. Curt said once he receives a CO he would turn that into NCC Land Use for assessment and would bill them at a pro-rated amount.
- Scott also asked the Planning Commission to look the Land Use Ordinance amending the price for doing the rezoning. Scott said we need an amendment. We would have to go through the Public Hearing and Approval process to change the fee already stated in the Land Use Code. We can repeal and replace the page in the Land Use Ordinance.

- Discussion about National Flood Insurance. Dave was able to find out Bellefonte doesn't belong to the National Flood Insurance Program. Scott asked if we wanted to become members again. We are not in the Flood Plain. However, we have had some flood issues. There was a discussion about the pros/cons of being involved in the program. No formal motion was made or adopted.
- There was also a discussion about an Emergency Plan or Hazard Mitigation Plan. The town doesn't have one right now. There was some discussion as to what plans the town does have like the Fire station, and the County plans. Dave will be attending a meeting
- Planning Commission next meeting date is December 3rd.

Treasurers Report : Curt Nass

Curt presented the Treasurer's Report (attached). A motion was made by Scott to accept the treasurer's report, Brandon seconded, and the motion passed.

Bills:

The following bills were submitted for payment:

ServPro, cleanup after vandalism: \$10,671.36

Scott MacKenzie, Reimbursement for tulip bulbs for Park, \$359.70

Tax Reimbursement for Nathan Paustian (paid by mortgage co.): \$201.35

Delmarva Power, Street Lights: 1,433.53

Delmarva Power, Gas: \$42.33

Waste Industries, November trash collection/recycling: \$ 12,163.12

Penny Hill, park maintenance, inv 1333: \$737.33

Penny Hill, park maintenance, Inv 1325: \$625.95

Penny Hill, tulip bulb planting, Inv 1330: \$257.50

Connolly Gallagher, September charges, #14038: \$4,378.75

Verizon Phone Service, \$64.99- Cancel Service

(Scott asked Curt to make sure to cancel the service from Verizon so that we would get no more bills.)

A motion was made by Gary to accept and pay the bills, Brandon seconded and the motion passed.

Executive Report

- Scott made a motion to nominate Brandon Dougherty as Secretary. Gary seconded and the motion passed. Brandon signed as witness to the passage of Ordinances Brandon signed to attest the approval of the Ordinances 2014-01 and 2014-02.
- Scott reported that he had replied to a FOIA request from Peter Kostyshyn, but noted that there were none in this month's mail.
- Scott also reported that he had received a FOIA request from Dr. Kelleher (who attended) and he asked her if she was satisfied with the notices related to the re-zoning. She explained that she was looking for any notices that might have been sent regarding a

reported convicted sexual predator working at 202 Schoolhouse Lane, or if any complaint had been filed about a non-licensed business being operated from that address. Scott said that telemarketing actually was an approved home-based business, but that the issue of workers coming to the location (not permitted) would be eliminated by the Rezoning of that property because the building is being razed.

Public Comments:

- There was also extensive discussion if residents were notified about Sex offenders in Bellefonte. It was explained that as long as Sex Offenders are registered the town doesn't have to be notified by the state or county. If the town doesn't know, we can't identify residents.
- There was also discussion about the privacy rights of residents and should they have to sign in at meetings. It was discussed that residents don't have to sign in if they don't wish but we like people to sign in so we have a record.

OLD BUSINESS

- Items 13 C through F have been tabled.

NEW BUSINESS

Capital Improvements: Scott said he is still looking for a bid on moving the toilets in the bathrooms.

Holiday Reception:

- Gary reported that he had arranged the Town's Holiday Event for December 12th, 6-8 pm, Caroling in the Park followed by refreshments inside Town Hall. He has arranged for the Mt. Pleasant High School choir to lead us in song.
- A motion was made to approve \$500 for the Holiday Reception Party by Brandon. Gary seconded and the motion passed.

The next Town Meeting will be held on Monday, December 8, 7 pm, at Town Hall. Brandon made a motion for adjournment. Gary seconded and the motion passed at 10:31 pm.

Submitted by: Brandon Dougherty

Approved: _____

Date: _____