

November 2, 2020

The Bedford Borough Council met at 6:00 p.m. in Executive Session to discuss litigation. The following Council Members were in attendance, Tim Weaverling, Sharon Turkovich, Jeff Rinscheid, William Blackburn, John Cessna and Kenny Fetterman. Mayor William Leibfreid, Borough Manager Barbara Diehl, Borough Secretary Beverly Geller and Police Chief Craig Bowman were also in attendance.

Council Member Patrick Neff joined the meeting at 6:28 p.m.

Council exited Executive Session at 6:50 p.m.

The Regular Meeting of the Bedford Borough Council was held on the above date at 7:00 p.m. The following Council Members were in attendance, Tim Weaverling, Sharon Turkovich, Jeff Rinscheid, William Blackburn, Patrick Neff, John Cessna, and Kenny Fetterman. Mayor William Leibfreid, Borough Manager Barbara Diehl, Borough Secretary Beverly Geller, Police Chief Craig Bowman and Solicitor Dean Crabtree were also in attendance.

Public Services Director Brad Foor, and Tim Cooper, PE, Stiffler McGraw & Associates, Inc. were absent.

Lloyd Roach, Cessna Communications, and Will Deshong, Bedford Gazette, were present. Jacquie Roach, Sara Letzo, Nick Letzo and Nate Haupt were in attendance.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to approve the Minutes of the October 5, 2020 Regular Meeting, the October 20, 2020 Workshop Meeting, and the October 27, 2020 Special Meeting on litigation. Motion was carried by unanimous vote (7-0).

Motion was made by Council Member Rinscheid, seconded by Council Member Blackburn, to approve the list of bills from October 6, 2020 through November 2, 2020. Motion was carried by unanimous vote (7-0).

Motion was made by Council Member Turkovich, seconded by Council Member Cessna, to approve the November 2, 2020 Treasurers Report. Motion was carried by unanimous vote (7-0).

Bids were opened for Heating Oil at the Wastewater Treatment Plant. Two bids were received from SAC, Inc., and Bedford Valley Petroleum Corporation. SAC's bid was for a cost of \$1.219 per gallon (\$1.069 vendor cost and \$0.15 vendor markup). Bedford Valley's bid was for a cost of \$1.319 (\$1.019 vendor cost and \$0.30 vendor markup).

One Bid was received for Bio-Solids Removal from Little Enterprises Waste Hauling at \$0.085 per gallon for surface spreading and \$0.091 for subsurface injection.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to award the bids to SAC, Inc. for Heating Oil and Little Enterprises for Bio-Solids Removal. Motion was carried by unanimous vote (7-0).

Mayor Leibfreid shared the Police Statistics.

Chief Bowman noted that fine money has not been received for October. Chief Bowman shared that new weapons have been ordered for the Police Department and after trading in the older weapons the Borough should receive money back.

Solicitor Crabtree requested an Executive Session regarding Litigation.

Solicitor Crabtree shared that a Zoning Hearing Application was received for Jason and Stephanie Itle-Clark, owners of 432 S. Juliana Street. Variance request is for relief from Chapter 27, Part 3, Section 301(F), which requires a minimum habitable floor area of 1,000 square feet, Chapter 27, Part 7, Section 701(C), which requires minimum area regulations of no less than 9,000 square feet, Chapter 27, Part 7, Section 701(E)(1)(b), which requires twenty (20') foot front yards when the adjacent street is twenty (20') foot or less in width, Chapter 27, Part 7, Section 701(E)(2)(a), which requires twelve (12') foot side yards and Chapter 27, Part 7, Section 701(E)(3), which requires a rear yard depth of thirty-five (35') feet. The proposed guest house would have a habitable floor area of 710 sq. ft., area of 14,400 sq. ft., and would create insufficient setbacks of 1'10" for the front yard (if fronting Lafayette Avenue), 1'6" for the one side yard and 1'10" for the rear yard (if fronting S. Juliana Street).

Police Chief Bowman clarified that the Zoning Hearing Application was regarding the use of the building, not the setbacks. Council did not request that Solicitor Crabtree attend the hearing to represent Council.

Council Member Turkovich shared that the Borough Office received a request from Brad Rininger for an event to be held on Saturday, May 15, 2021. Mr. Rininger was asked to provide additional details, but no data has been received.

Wholesome Living and Olde Bedford Brewing submitted Non-Parade Event Permits for December 19, 2020, October 2, 2021, and October 9, 2021. Solicitor Crabtree shared that since the events are to be held on private property the Non-Parade Event Permits are not required, but transient retail applications would need to be submitted for vendors. Solicitor Crabtree noted that Council can decide to not enforce the current Transient Vendor Ordinance, but a precedent would be set for those seeking to hold future events. Manager Diehl asked Council to adhere to current ordinances until something is further discussed and agreed upon. The Ordinance Review Committee will review the Ordinance and consider changes.

No additional information has been received from the Bedford County Commissioners or Sheriff Wayne Emerick regarding the request for a new agreement for the County Garage.

Council Member Neff shared that the Ordinance Review Committee has continued discussions on recodification of ordinances. The Ordinance amendment for the removal of the Purple Heart Handicapped Parking space on W. Penn Street will be advertised November 6th and will be added to the Council agenda set for November 23, 2020.

November 2, 2020

Manager Diehl shared that the October Historic Architectural Review Board (HARB) meeting approved two applications and tabled an application for Community Partners Alliance at 300 E. Pitt Street to replace the wooden railing with aluminum railing.

Motion was made by Council Member Neff, seconded by Council Member Turkovich, to approve the HARB approved applications:

- Brian Burke – 329 E. Pitt Street – Replace Windows
- Dalesmen Distillery – 141 E. Pitt Street – Exterior Improvements, Changes

Motion carried by unanimous vote (7-0).

Sara Letzo, Nick Letzo and Nate Haupt exited the meeting at 7:47 p.m.

Manager Diehl shared that the Fire Department and Contractors are working on punch list items for the Fire Department Building Project. Construction is in progress on the Borough Building.

Manager Diehl shared that letters from the Bedford Police Department went to property owners on Union and W. Pitt Streets.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to appoint Joshua Leibfreid to the Municipal Authority of the Borough of Bedford for a 5-year term. Mr. Leibfreid will replace Scott Moxley whose term will expire on 1-2021. Motion was carried by unanimous vote (7-0).

Council entered Executive Session at 7:51 p.m. to discuss litigation and a personnel issue.

Council exited Executive Session at 8:01 p.m.

Motion was made by Council Member Cessna, seconded by Council Member Fetterman, to issue an additional payment in the amount of \$5,000.00 to Christine Hollington, 238 W. Penn Street, for an easement and legal fees. Motion was carried by unanimous vote (7-0).

There being no further business, a motion to adjourn was made by Council Member Cessna and carried at 8:02 p.m.

Borough Secretary