The Regular Meeting of the Bedford Borough Council was held via Zoom on the above date with the following Council Members present, Tim Weaverling, Sharon Turkovich, Jeff Rinscheid, John Cessna, William Blackburn, Patrick Neff and Kenny Fetterman. Mayor William Leibfreid, Borough Manager Barbara Diehl, Borough Secretary Beverly Geller, Assistant Borough Secretary Misty Hizer, Police Chief Craig Bowman, Solicitor Dean Crabtree and Tim Cooper, P.E. of Stiffler McGraw were also in attendance. Public Services Director Brad Foor was absent.

Marcia Rogish, Lloyd Road, Cessna Communications, and Will Deshong, Bedford Gazette, were also in attendance.

Motion was made by Council Member Cessna, seconded by Council Member Turkovich, to approve the Minutes from the January 4, 2021 Council Meeting and the January 19, 2021 Council Workshop. Motion was made by Council Member Neff, seconded by Council Member Blackburn, to approve the Bills for January 5, 2021 through February 1, 2021 and the Treasurer's Report for February 1, 2021. Motion was carried by unanimous roll call vote (7-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Rinscheid – aye, Council Member Blackburn – aye, Council Member Fetterman – aye.

Sarah Garcia spoke to Council about a group in Havre de Grace, MD that picks up litter. Ms. Garcia noted that she is looking to start a similar group to pick up litter along the main streets in the County – Richard, Pitt, Penn, and the Square. Ms. Garcia also noted that she would like to ask the Conservation District to donate cigarette butt canisters that mount to sign poles. Ms. Garcia noted that the W. Penn Entrance to the Courthouse is littered with cigarette butts. Council thanked Ms. Garcia for volunteering for the task.

Derron Peterson shared that he wanted to submit a proposal for a Skate Park. Mr. Peterson will forward the proposal to Manager Diehl. Manager Diehl shared that at one time there was a Skate Park in the Borough, but Council abandoned the park. Manager Diehl will send the history to Council.

Mayor Leibfreid shared the police statistics with Council.

Chief Bowman shared that the Police Department has added two portable breath testing devices and that grant funds were used to purchase 5 flashlights.

Mr. Cooper updated Council that bids for the ADA ramp project will be opened in March and that bidding information will be advertised for three of the four crosswalk push button systems. Funding for the replacement crosswalk push button systems is through an ARLE Grant.

Solicitor Crabtree shared that an upcoming Zoning Hearing is scheduled for Monday, February 8th for the following applications:

- William Weyant, owner of 419 W. Penn Street Extension. Variance request is for relief from Chapter 27, Part 8, Section 801(E)(2)(a), which requires twelve (12') foot side yard setbacks for interior lots in the R-2 zoning district. Mr. Weyant would like to replace the existing bedroom and bathroom with a larger ADA compliant bedroom and bathroom for

the applicant's mother. The proposed enlargement would create an insufficient side yard setback of seven (7') feet.

- Bedford Moose Lodge #480, owner of 221 E. Penn Street. Variance request is for relief from Chapter 27, Part 7, Section 701(C), which requires the lot area per dwelling unit to not be less than 9,000 square feet in the R-1 zoning district. The Moose would like to subdivide the property into two separate parcels; however, the proposed subdivision would create an insufficient minimum lot size of 6,457 square feet for the parcel containing the dwelling.
- Jeremy Mock, owner of 233 E. Simpson Street. Variance request is for relief from Chapter 27, Part 7, Section 701(E)(3), which requires a minimum rear yard depth of thirty-five (35') feet in the R-1 zoning district. Mr. Mock would like to construct an outdoor living space on an existing concrete pad; however, the proposed structure would create an insufficient rear yard setback of ten (10') feet.

Council did not request representation from Solicitor Crabtree at the Zoning Hearing.

Council Member Rinscheid asked for information about the recent hearing by the Bedford County Building Code Board of Appeals for Olde Bedford Brewing. Secretary Geller shared that Pennsylvania Municipal Code Alliance represents the Borough as the Building Code Agency for Building Permits. Olde Bedford Brewing requested to expand the space occupied by their business at 109 Railroad Street and asked for relief from providing a sprinkler system, a two-hour fire separation wall and additional restrooms. The variance was approved by the Board of Appeals, but with the building occupancy set at 100 instead of the 149 requested by Olde Bedford Brewing. Council was represented by Clem Malot from Pennsylvania Municipal Code Alliance at the Appeals Hearing. Solicitor Crabtree shared that Council could add Ordinances beyond what the Building Code provides. Discussion followed about the age of the historic buildings in the Borough and the large expense that would be necessary to retrofit buildings to meet current building code.

Council Member Turkovich shared event requests from the Bedford County Sestercentennial Committee

- to hold a parade on Saturday, September 11, 2021 with parade forming at 2pm with an anticipated end time at 3pm.
- to hold a tree dedication on Saturday, April 30, 2021 in Memorial Park Cemetery with approximately 10 individuals in attendance.
- the addition of a 21-gun salute to the already approved kickoff ceremony on Saturday, May 1st.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to approve the events. Motion was carried by unanimous roll call vote (6-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Blackburn – aye, Council Member Fetterman – aye. Council Member Rinscheid stepped away from the Zoom call for a few minutes.

Motion was made by Council Member Blackburn, seconded by Council Member Cessna, to approve the following work to be completed by Zac Brouse (Brouse Forestry & Tree Care) in an amount not to exceed $3,500.00:

Presbyterian Square:
- Pruning of (2) Honey Locust Trees (removal of all dead/dying branches and removal of branches on wires)
- Removal of (1) Sugar Maple (tree is dying and has a lot of dead branches and crown decline)
- Pruning of (2) Sugar Maple Trees (removal of dead tree top and dead/dying branches)
- Removal of (1) Flowering Dogwood (small tree to be replaced with new, White Fir to be used as new Town Christmas Tree)

Lutheran Square:
- Pruning/Crown Raise of Norway Maple by Gazebo
- Light Pruning of Norway Maple by Man on the Monument
- Medium Pruning of Norway Maple by the Parrish House

Post Office (Federal) Square:
- All trees need Root Collar Excavation
- Dogwood needs removed and replaced
- Mulberry Tree (nearest Post Office) needs heavy pruning
- Existing Stump needs ground or removed

Work above does not include the cost of planting new trees. Per the January 19, 2021 Council Minutes – Mr. Brouse offered to donate, plant, and maintain the new White Fir Town Christmas Tree. Motion was carried by unanimous roll call vote (7-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Rinscheid – aye, Council Member Blackburn – aye, Council Member Fetterman – aye.

Manager Diehl reminded Council of the Ordinance recodification process. The project has not had any progress and needs to be revisited. Solicitor Crabtree noted that he will look at the information.

Manager Diehl shared information on the following HARB applications:
Applications approved:
- Brian Burke – 329 E Pitt Street – Replace Asphalt Roof with Black Metal
- Mari-Pat Beene / Pigeon Hill Properties – 115 S Juliana Street – Replace 2 double hung vinyl windows on second floor bay windows with 2 vinyl casement and fixed transom windows, Installation of signage on east side of building noting parking for museum.
- Bedford Area School District – Plan for 306 E John Street – Parking area

Application tabled:
- Mari-Pat Beene/ Pigeon Hill Properties – 117 S Juliana Street – Façade Improvement – Paint Building, New Exterior Lights, Awnings

Manager Diehl shared information on the dissenting vote cast by HARB Member Jeff Wright for the Bison Monument. Council Members noted that they had received Mr. Wright's document

and photographs explaining his vote. Council Member Blackburn shared that the height was designed to keep individuals from climbing on the monument and block the view of cars parked in the lot.

Motion was made by Council Member Turkovich, seconded by Council Member Neff, to approve the HARB approved applications of Brian Burke, Mari-Pat Beene (115 S. Juliana Street) and Bedford Area School District. Motion was carried by unanimous roll call vote (7-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Rinscheid – aye, Council Member Blackburn – aye, Council Member Fetterman – aye.

Manager Diehl added that the Borough Renovation Project is progressing.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to extend the agreement with the Bedford Heritage Trust for operation of the Fort Bedford Museum for one year. Motion was carried by unanimous roll call vote (7-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Rinscheid – aye, Council Member Blackburn – aye, Council Member Fetterman – aye.

Manager Diehl shared that letters were sent from the Bedford Police Department for Code Enforcement to property owners on S. Juliana, Spring, W. John, W. Pitt Streets along with W. Central Way.

Motion was made by Council Member Cessna, seconded by Council Member Neff, to re-appoint

Sean Bardell – Historic Architectural Review Board – 5-year term

Melissa Jacobs – Borough Planning Commission – 4-year term

and appoint

Bill Blackburn – Civil Service Commission – 5-year term (replacing Dean Lemley whose term expired 11-2020)

Motion was carried by unanimous roll call vote (6-0), Council Member Weaverling – aye, Council Member Neff – aye, Council Member Turkovich -aye, Council Member Cessna – aye, Council Member Blackburn – aye, Council Member Fetterman – aye. Council Member Rinscheid stepped away from the call for a few moments.

Manager Diehl reminded Council that a replacement for Bill Blackburn on HARB is being sought. The term expires 06/2022. The replacement does not need to be a member of Council.

Manager Diehl reminded Council Members to complete and submit the 2021 Statement of Financial Interests Form.

There being no further business, a motion to adjourn was made and carried at 7:56 p.m.

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Borough Secretary