

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, January 20, 2011**

ATTENDED BY -

COUNCIL: Mary C. Shoemaker, Chair
David P. Fryer, Vice-Chair
Forrest J. Remick, Ph.D.
Daniel D. Klees
David W. Koll

STAFF: Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Robert T. Long, Jr., Finance Director
John J. Franek, Jr., Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

CALL TO ORDER

Chair Shoemaker called to order the January 20, 2011, Regular Meeting of the College Township Council at 7:00 PM followed by the Pledge of Allegiance.

OPEN DISCUSSION:

None.

MINOR PLAN:

MP-1 Penn State University Center for Sustainability Wind Turbine

Mr. Mark Seville, Sweetland Engineering, introduced Ms. Judy Larkin, PSU Project Manager, and Prof. Dennis McLaughlin, PSU Professor of Aeronautical Engineering, before presenting the Pennsylvania State University Center for Sustainability Minor Plan Alteration for Wind Turbine Construction. The University is participating in a U.S. Department of Energy wind energy education program entitled "Wind Powering America", and students will be collecting data from the turbine for use by both University classes as well as sharing information with Kindergarten through twelfth grade students across the Commonwealth. Funding for the project will be via a state grant.

For this wind energy education program, the Center for Sustainability is proposing to erect a new wind turbine to be located immediately south of Medlar Field along Porter Road at the Center for Sustainability. Energy produced from the turbine will be fed into and monitored at the University's Morningstar solar home. The turbine tower will be 70 feet high with a blade diameter of 12 feet for an ultimate structure height of 76 feet.

At Council's December 2, 2010, Regular Meeting, Council concurred with this sketch plan being processed as a minor plan but requested that it come back to Council at the time of its submission for review to allow Council to comment.

Mr. Franek, Zoning Officer, noted that staff requested that the developer provide details relative to shadow flicker and noise levels, which were satisfactorily presented at this meeting.

Following Council inquiries and comments on the turbine's wind speeds (140 MPH and variable RPM), noise levels, shadow flicker, and suggesting students also learn about the economics involved in the operation of such equipment, Council took the following action.

Mr. Klees moved to authorize staff to review the Penn State University Center for Sustainability Wind Turbine Plan under the Minor Plan review criteria.

Mr. Koll seconded the motion.

Motion carried unanimously.

Council directed staff to bring this back six months after start of operations in order for Council to review the University's results that have been realized by the use of this wind turbine.

SKETCH PLAN:

SK-1 Mt. Nittany United Methodist Church Cell Tower – Discussion

Richard M. Williams, Esq., Hourigan, Kluger & Quinn, introduced Messrs. H. Hungerman, Verizon Wireless, and Scott Devlin, GTL Ltd. (Camp Hill, PA) before presenting the sketch plan of Cellco Partnership d/b/a Verizon Wireless Property located at the Mt. Nittany United Methodist Church, 1500 E. Branch Road, State College. Mr. Williams stated that the new, 70-foot-high church bell tower would house hidden cellular antennae for two cell phone service providers, Verizon and AT&T.

In written communication to Council from Mr. J. Franek, Zoning Officer, dated January 20, 2011, Mr. Franek advised that this was before Council because the property in question has an approved and recorded land development plan that did not reflect a cell tower. Staff requested Council's specific input relative to the height of the cellular component of the bell tower as well as the matter of the proposed cross on the bell tower being higher than the sign height limitations.

Council comments included 1) a preference for the bell tower to be a functioning bell tower, such as with electronic chimes; 2) an objection to there being any free-hanging bells; 3) disappointment at the proposed tower not being more aesthetically pleasing; 4) a request that the developer provide to Council some visual aids that show the area from Oak Grove looking across the horizon; 5) satisfaction in learning that this tower will not impact the nearby, on-site playground; and 6) a request to review this plan after its submission under the minor plan review process and prior to its approval to allow for public comment.

PLANS:

P-1 Preliminary/Final Land Development Plan Entrance A/Emergency Department Expansion, Mt. Nittany Medical Center

Ms. Karla Coudriet, P. E., Gannett Fleming, introduced Mr. Lou Brungard, Vice President Facilities and Operations, Mt. Nittany Medical Center, before presenting the Preliminary/Final Land Development Plan Entrance A/ Emergency Department Expansion at the Mt. Nittany Medical Center. This plan proposes changes to Entrance A, including the construction of a vehicle canopy to accommodate buses; a relocated and enhanced Medic-24 ambulance entrance with canopy; and revised sidewalk connections. This plan is part of a campus-wide parking plan with three different parking areas accommodating 314 spaces serving Entrances A (Main Entrance) and B (Emergency Entrance).

Following Council inquiry, Mr. Brungard explained the intent of the proposed loop road system, which is designed to have the smaller, inner loop serve the front of the hospital while a larger, outer loop would serve the entire hospital.

Council comments included 1) a preference for having a way for the employees to be able to access the back parking lot along the south side of the medical center earlier than currently scheduled, and Mr. Brungard agreed to consider that with the ongoing phasing of the campus; and 2) possible future expanded CATA service.

Dr. Remick moved to approve the Preliminary/Final Land Development Plan for Entrance A/Emergency Department Expansions at the Mt. Nittany Medical Center, dated 11/22/2010, last revised 1/06/2011, with the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Payment of all outstanding plan review fees;**
- 3. Include a sidewalk along Hospital Drive from Park Avenue right-of-way to Entrance A; and**
- 4. Post surety for all improvements needed for the Park Avenue Widening Project and for improvements along Hospital Drive, based upon an estimate provided by the developer and approved by the Township Engineer; or prepare and submit a**

separate Traffic Study to College Township and PennDOT and complete all improvements required by the approval of that Traffic Study.

Mr. Klees seconded the motion.

Motion carried unanimously.

P-2 Centre Medical Science Building (CMSB) II; Request for Time Extension

Ms. Karla Coudriet, P.E., Gannett Fleming, Inc. requested a 60-day time extension to allow for finalizing of surety and the recording of the Centre Medical Science Building II plan.

Dr. Remick moved to grant a 60-day time extension on the Approval of the Center Medical Science Building II Land Development Plan, extending the time for recording of the plan to March 31, 2011.

Mr. Koll seconded the motion.

Motion carried unanimously.

P-3 Damon's Exterior Patio Preliminary/Final Land Development Plan, E. College Avenue

Mr. Dallas Miller, HAAS Building Solutions, introduced Greg DuBois, Damon's Grill General Manager, before presenting the Damon's Grill Exterior Patio Plan. This proposed patio for outdoor customer seating would be accessible from within Damon's Restaurant and would be surrounded by a 42-inch-high aluminum picket fence with an emergency-only exit gate. The patio would add 800 square feet to the total impervious area. To bring the impervious coverage ratio within the 60 percent maximum for the Gateway Commercial District, the developer established an agreement with Hampton Inn for the sharing of impervious coverage and made modifications to allow for stormwater recharge. Working with Township staff, changes were made to bring this in line with impervious standards in the Gateway Commercial District.

Following a brief discussion, Council took the following action.

Mr. Koll moved to approve the Preliminary/Final Land Development Plan for Damon's Grill Exterior Patio, dated December 15, 2009, last revised August 23, 2010, with the following conditions:

- 1. Revise the Owners' Certification Signature Block to allow each of the signatures to be notarized;**
- 2. Obtain all required signatures on the plan; and**
- 3. Payment of all outstanding plan review fees.**

Mr. Fryer seconded the motion.

Motion carried unanimously.

P-4 Penn State University AG/IM Intramural Playing Fields Final Land Development

Mr. Joe Gherardi, Stahl Sheaffer Engineering, presented the Penn State University AG – IM Field Conversion Preliminary/Final Land Development Plan. This project, located at the northeast corner of Park Avenue and University Drive intersection, proposes the installation of new intramural football and soccer playing fields at a location currently used for football parking and grazing of cattle. Mr. Gherardi reported on the addition of street lights on the sidewalk along Park Avenue in keeping with Penn State street-lighting practices.

In consideration of the anticipated construction work along University Drive extension, which would mean the demolition of any new sidewalk being installed as part of this plan, Council agreed to accept a delayed sidewalk installation, but not later than January 1, 2015.

Mr. Klees moved to approve the Preliminary/Final Land Development Plan for Penn State University AG/IM Field Conversion, dated November 15, 2010, last revised January 4, 2011, with the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Payment of all outstanding plan review fees; and**
- 3. Provide a drawing and a note on the plan stating that a sidewalk will be installed along University Drive when the road is widened, or no later than January 1, 2015.**

**Mr. Fryer seconded the motion.
Motion carried unanimously.**

MANAGER’S UPDATE:

Mr. Brumbaugh, Township Manager, presented the January 20, 2011, Manager’s Update, briefly discussing the resubmission of the Highway Occupancy Permit for the South Ridge development on S. Atherton Street in response to Council inquiry. No other Council comments were forthcoming.

CONSENT AGENDA:

- CA-1 Minutes:**
- a. Jan. 3, 2011 Reorganization Meeting.
 - b. Jan. 3, 2011 Regular Council Meeting.
- CA-2 Incoming Correspondence:** /1: Letter from Centre County Board of Commissioners, dtd Jan. 5, 2011, regarding 2011 Liquid Fuels Allocations.
- /2: Letter from Keller Engineers, dtd Jan. 10, 2011, Thanking Council for 2011 Consulting Engineer Appointment.

CA-3 Resolutions:

- a. R-11-04, Squirrel Dr. Traffic Signal Application.
- b. R-11-05, S. Atherton St./W. Branch Rd. Traffic Signal Application.

**Mr. Klees moved to approve the January 20, 2011 Consent Agenda, as presented.
Mr. Fryer seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

OB-1 University Planned District (UPD) Rezoning; Set Public Hearing

Mr. Holdren, CRPA Sr. Planner, presented a detailed overview of Penn State University's rezoning request. The area being considered for rezoning is 4.7 acres of UPD Subdistrict 5 to UPD Subdistrict 9 located at the corner of Curtin Road and University Drive, across from the Bryce Jordan Center. Supported by the College Township Planning Commission at their December 21, 2010 Regular Meeting, this rezoning would allow athletic and recreational facilities. Mr. Holdren stated that there were no compatibility issues from a zoning perspective.

**Mr. Klees moved to set a public hearing for the Rezoning of the University Planned District (UPD) from Subdistrict 5 to Subdistrict 9.
Mr. Koll seconded the motion.
Motion carried unanimously.**

NEW BUSINESS:

NB-1 2011 Fuel Bid Award

Bid being duly advertised and bid opening held January 22, 2011, Council took the following action to award the 2011 Fuel Bid.

**Mr. Fryer moved to award the 2011 Fuel Bid to Christoff Mitchell Petroleum, Inc. for the total contract amount of \$50,190.00.
Mr. Koll seconded the motion.
Motion carried unanimously.**

STAFF AND ABC INFORMATIVES:

1. SI-1, Ordinance Enforcement Report for December 2010 – After reviewing the monthly Ordinance Enforcement report for December 2010 and noting the signs violations, Mr. Klees suggested that fees be increased for those not procuring the proper sign permits before putting up signs in College Township. Staff was directed to look into this.
2. SI-2, Ordinance Enforcement Report for 2010 – Dr. Remick asked about the purpose in the Ordinance Enforcement Officer's tracking of his mileage and whether or not this is still necessary. Mr. Brumbaugh replied that this practice would be researched and its value evaluated.
3. SI-4, Zoning Hearing Board Case Ruling – Chair Shoemaker inquired into the possibility of recouping lost rental housing revenues by individuals intentionally skirting the Township's permitting requirements by the Township's instituting a fee, such as a late charge fee, levied against those persons or businesses who are found to have ignored required permitting requirements. Staff was directed to send this inquiry to the township solicitor and report back to Council.

OTHER MATTERS:

1. Chair Shoemaker advised Council that she had been placed on a PSATS committee for 2011.

COMMITTEE REPORTS:

Finance Committee, January 11, 2011 – Mr. Fryer reported that the Finance Committee held their reorganization meeting before considering matters such as the CATA budget; fire station capital policy; considering a financial consultant for regional parks; and the possibility of an evaluation of financial services received by COG from State College Borough. Mr. Klees supported a periodic evaluation of the financial services provided to the Council of Governments, which would add a level of transparency.

Transportation and Land Use (T/LU) Committee, January 10, 2011 – Mr. Klees reported that the Transportation and Land Use Committee reorganized and changed their meetings to the first Monday of each month. The members then held an open discussion and received a progress report on the economic development assessment.

Parks Capital Committee, January 13, 2011 – Mr. Klees reported that the Parks Capital Committee received an update on the Whitehall Road Regional Parkland and on Hess Softball Fields Complex and its associated safety improvements. The Committee addressed items being forwarded to the General Forum, which included a plan report for Hess Softball Fields Complex; possible amendments to Oak Hall Regional Park showing a change from three fields to four fields; and a Regional Parks Development Timeline presentation. The consideration of a financial advisor for parks development would be forwarded to the General Forum for their January meeting. Mr. Klees stated that Oak Hall Regional Park will

need additional financial assistance to complete necessary Phase I improvements. The Committee asked staff to assist in forming a Capital Fundraising Committee that might offer some assistance in securing those anticipated parks development shortfalls.

Public Safety Committee – Mr. Koll reported that the Public Safety Committee reorganized with Mr. Koll appointed as the 2011 Chair. The Committee then addressed the Code Board of Appeals appointees; discussed the Code evaluation study comments; reviewed municipal Code software evaluations and possible acquisition; considered applying for fire prevention safety grants; forwarded the Policy for the Development and Maintenance of Fire Stations, which would mean an obligation of approximately \$27,000 for College Township; and heard an update on resolutions to the prior problems with the management and scheduling of the fire training center. Mr. Koll closed stating that Mr. Bair talked about the possibility of adding a paid staff member in the next seven years.

Mr. Koll later added that the Builders Association asked the Public Safety Committee if the Committee would look at the Centre Region's regulations to see if any steps could be taken to lighten the burden on residential builders as a result of the new residential sprinkler requirements. With this new regulation now in place, Mr. Koll wondered if College Township should be reviewing its ordinances to see if any could be adjusted in response to this new, residential fire sprinkler requirement. As an example, Mr. Koll inquired into whether or not fire hydrants could be placed further apart or new Township road widths might be able to be narrowed.

Mr. Klees concurred with the suggestion of a review of the Township Code and wondered if longer cul-de-sacs might be allowed because of the impacts of these new, residential sprinkler requirements.

Mr. Brumbaugh thought it would be beneficial if local elected officials, managers, and staffs were first given some education from those in fire service about how these sprinklers operate and are utilized in residential units.

Mr. Fryer requested that the matter of the impacts of residential sprinklers on land development ordinances be placed on the Manager's Update for future tracking.

Public Services and Environmental Committee, January 5, 2011 – Dr. Remick reported that the Public Services and Environmental Committee reorganized with the same officers being appointed and then reviewed the Articles of Agreement for establishing this Committee. Members were satisfied with that instrument, and no changes were made. The Committee discussed the Centre Region Energy Efficiency Model Resolution on energy conservation, which was forwarded to the General Forum's January meeting. This resolution will go to municipalities for adoption in whatever form they individually feel appropriate. Dr. Remick then highlighted what was deemed by him to be a disturbing item in the form of new permitting procedures, as established by the EPA via the National Pollution Discharge Elimination System (NPDES). Any land development disturbance of one acre or greater will trigger the new NPDES permit protocol, which will require 150-foot riparian stream buffers

and 150-foot forest buffers. Dr. Remick objected to the onerous appearance of big government becoming involved in such matters.

Human Resources Committee, January 18, 2011 – Chair Shoemaker reported that the Human Resources Committee reorganized for 2011 with Ms. Shoemaker appointed as the Committee’s 2011 Vice Chair.

Executive Committee, January 18, 2011 – Chair Shoemaker reported that the Executive Committee reorganized for 2011 before setting the agenda for the January General Forum Meeting and establishing meeting dates and times for 2011.

ADJOURNMENT:

**Mr. Klees moved to adjourn the January 20, 2011,
Regular College Township Council Meeting.
Mr. Fryer seconded the motion.
Motion carried unanimously.**

Chair Shoemaker adjourned the January 20, 2011, Regular Council Meeting at 9:13 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary