

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, August 5, 2010**

ATTENDED BY -

COUNCIL: David W. Koll, Chair
Forrest J. Remick, Ph.D.
David P. Fryer
Daniel D. Klees

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

ABSENT: Mary C. Shoemaker, Vice-Chair

CALL TO ORDER

Chair Koll called to order the August 5, 2010 Regular Meeting of the College Township Council at 7:55 PM following public hearings on Ordinances O-10-05, Kyper-Persia Rezoning; and O-10-06, E. College Ave. Single-Family Homes Rezoning.

ANNOUNCEMENT:

Chair Koll announced that Council met in executive session immediately prior to the start of this meeting to discuss a library matter.

OPEN DISCUSSION:

None.

MANAGER'S UPDATE:

Mr. Brumbaugh presented the August 5, 2010 Manager's Update, highlighting the status of the South Ridge (S. Atherton Street) and the Country Inn and Suites (E. College Avenue) plans.

CONSENT AGENDA:

CA-1 Minutes:

- a. July 15, 2010, Public Hearing-1 on Ord. O-10-07, Refinancing of Debt.
- b. July 15, 2010, Public Hearing-2, on Ord. O-10-04, Places of Assembly.
- c. July 15, 2010, 2010, Regular Council Meeting;

CA-2 Incoming Correspondence:

- /1: Letter from HRG, dtd July 13, 2010, re: UAJA Permit Renewal for Spring Creek Composting Facility.
- /2: Letter from Penn State University, dtd July 16, 2010, re: Aboveground Storage Downstream Notification.
- /3: Letter from Rutgers Organics, dtd July 21, 2010, re: Rutgers Organics Preliminary/Final Subdivision – Request to Consider Extending Sidewalk Construction.
- /4: Letter from Sweetland Engineering, dtd July 22, 2010, re: Mt. Nittany Elementary School Highway Improvements.
- /5: Letter from M. U. Barash Coppersmith, dtd July 26, 2010, regarding Windmere Drive streetlights remaining on.
- /6: Letter from PennDOT, dtd July 29, 2010, regarding Scour Critical Bridges in College Township.

CA-3 Report:

Finance Director's

Council pulled for discussion and possible action Consent Agenda Items CA-2/3 and CA-3.

Mr. Klees moved to approve the August 5, 2010 Consent Agenda, minus items CA-2/3 and CA-3.

Mr. Fryer seconded the motion.

Motion carried unanimously.

CA-2/3: Mr. Chad Stafford, Penn Terra Engineering, requested Council's approval for a time extension to October 18, 2011, on the sidewalk requirement along Struble Road and First Avenue. Mr. Stafford also requested a reconsideration of the requirement for the sidewalk beyond Carolean Industrial Drive and along First Avenue, as future construction will impact sidewalks already installed. Council was advised that an intersection is anticipated at the point on Struble Road where Carolean Industrial Drive connects.

Mr. Klees moved to require that a sidewalk be constructed by October 18, 2011, from E. College Avenue to the future intersection at Carolean Industrial Drive and the

remainder to First Avenue be placed as a temporary gravel path; the remaining sidewalk along First Avenue should be completed by July 1, 2011.

Mr. Fryer seconded the motion.

Motion carried unanimously.

Mr. Klees moved to receive Consent Agenda Correspondence item CA-2/3.

Dr. Remick seconded the motion.

Motion carried unanimously.

CA-3: Dr. Remick inquired into the notable upswing in revenues, and staff advised that there had been an increase in real estate transfer taxes and Penn State University impact fees.

Dr. Remick moved to receive Consent Agenda Item CA-3, Finance Director's Report.

Mr. Klees seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-10-05, Kyper-Persia Rezoning Request; Adoption of

Mr. Mark Holdren, CRPA Sr. Planner, described the intent of Ordinance O-10-05, C-1 and R-1 To R-3 Zoning Map Amendment, as amending the Code of College Township, Chapter 200, Zoning, Section 200-10, Zoning Map, to rezone tracts 19-002B-036-0000 and 19-002B-035-0000 from General Commercial (C-1) and Single-Family Residential (R-1) to Multifamily Residential (R-3). Mr. Holdren then answered Council questions on this proposed Ordinance.

Having received public comment during the public hearing earlier this date, Council held brief discussion and took action on this Ordinance.

Mr. Fryer moved to adopt Ordinance O-10-05, C-1 and R-1 To R-3 Zoning Map Amendment.

Dr. Remick seconded the motion.

Mr. Klees explained that this tract was hampered by its topography, and he did not think it was viable R-1 land. He was, therefore, in favor of downzoning the part nearer to Benner Pike and adding to College Township's inventory of R-3 lands. If changed to R-3, however, it would be almost impossible to predict what the impacts would be to those in the R-1 tracts as a result of inevitable development.

Motion carried unanimously.

OB-2 Ordinance O-10-06, Rezoning of Single-Family Homes Along E. College Avenue From R-1 to R-3; Adoption of

The intent of Ordinance O-10-06, R-1 to R-3 Zoning Map Amendment, is to amend the College Township Zoning Map to rezone 26 tax parcels along E. College Avenue from Single-Family Residential (R-1) to Multifamily Residential (R-3).

Chair Koll supported the rezoning of this parcel, as it would clean up a strip of R-1 that should have been rezoned prior to this. Council members Dr. Remick and Mr. Fryer voiced objections to the rezoning based on lack of overwhelming property owner support during the public hearing on this Ordinance and feeling that there was insufficient value in the rezoning at this time.

Mr. Fryer moved to deny Ordinance O-10-06, R-1 To R-3 Zoning Map Amendment.

Dr. Remick seconded the motion.

Motion carried 3 – 1 (Koll voting nay).

Chair Koll called for a three-minute recess at 8:35 PM to allow the audience to clear the room, and the meeting reconvened at 8:38 PM.

OB-3 Alpha Fire Substation Change Order No. 7 – Final Cost with Poole Anderson

Mr. Kent Baker, Township Engineer, presented the Alpha Fire Substation Change Order No. 7, which reflected the final costs from contractor Poole Anderson. This change order to Poole Anderson is a new increase of \$70,307.05 for a final contract amount of \$2,071,492.73 and extends the date of substantial completion to January 27, 2010. Staff recommended that Council approve Change Order No. 7.

Dr. Remick moved to approve Change Order No. 7 to the Alpha Fire Substation Contract with Poole Anderson, increasing the contract amount by \$70,307.05 for a final contract amount of \$2,071,492.73 and extending the time for substantial completion to January 27, 2010.

Mr. Klees seconded the motion.

Motion carried unanimously.

NEW BUSINESS:

NB-1 A. Kervandjian Rezoning Request; 234 Limerock Terrace, Tax Parcel No. 19-008/101

In written communication dated July 12, 2010, Jeffrey W. Stover, Esq., of Stover, McGlaughlin, Gerace, Weyandt & McCormick, P.C., representing developer Mr. A. Kervandjian, requested that College Township Council consider a downzoning of tax parcel 19-008/101 located at 234 Limerock Terrace from C-1 to R-2 Two-Family Residential to allow for the construction of townhomes. Based on the positive outcome of a rezoning, the developer will complete the sales transaction for this parcel.

Eric Casanave, Penn Terra Engineering, encouraged Council to remand this matter to Planning Commission in order to move it along as expeditiously as possible.

Considering this opportunity to rezone additional adjacent tracts along with this request, Council directed staff to develop additional, expanded options reflecting various configurations of potential tract rezoning and to return this matter to the August 19, 2010, Council meeting for possible remanding to Planning Commission at that time.

NB-2 COG Matters

a. 2011 Program Plan; Comments

Mr. Klees reported that at the August 3, 2010, Parks Capital Committee Meeting, committee members reviewed two proposed development plans for Hess Softball Field Complex in Harris Township. Comments included completing the minimum development of smaller fields at Hess Field to get the fields into useable shape and reconfiguring them once Oak Hall Regional Park in College Township is developed with four large fields.

b. Whitehall Road Master Site Plan; Comments

After brief discussion of the additional fourth field at Oak Hall Regional Park, Council supported the Whitehall Regional Park Master Plan and phasing, as presented at the July 26, 2010, COG General Forum Meeting.

NB-3 Resolution R-10-13, Permit Extension Fees

**Mr. Fryer moved to approve Resolution R-10-13,
Permit Extension Fees.
Mr. Klees seconded the motion.
Motion carried unanimously.**

NB-4 Centre County Tax Collection Committee – Reimbursement of Costs of Collection

Mr. Brumbaugh, Township Manager, described the municipalities' weighted voting mechanism in place for the Centre County Tax Collection Committee (CCTCC), which is based on earned income tax revenues and census data. The CCTCC must decide on a method of allocating the costs of collecting the earned income tax amongst its 37 municipalities and four school districts. Two

methods were highlighted in writing for Council by Mr. R. Long, Finance Director. Mr. Long recommended that Council support Option 1, which would allocate based on actual revenues distributed from January 1 to December 31, as opposed to Option 2, which allocated based on the weighted vote.

Council supported staff's recommendation.

STAFF AND ABC INFORMATIVES:

No comments.

OTHER MATTERS:

None.

COMMITTEE REPORTS:

Public Services and Environmental Committee – Dr. Remick reported that the Public Services and Environmental Committee discussed a possible green building code; heard a presentation by interns on commercial recycling; and, after a regional inspection tour, learned that 18 food and bar establishments were in full compliance with recycling, 17 were partially compliant, and 11 were not in compliance at all.

ADJOURNMENT:

Chair Koll adjourned the August 5, 2010 Regular College Township Council Meeting at 9:51 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary