

**COLLEGE TOWNSHIP REGULAR  
COUNCIL MEETING MINUTES  
Thursday, February 17, 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 February 17, 2011, Regular Meeting of the College Township Council at 7:00 PM following a public hearing on Ordinance O-11-01, UPD Rezoning Subdistrict 5 to Subdistrict 9.

**OPEN DISCUSSION:**

Mr. Timothy Havener, Firearms Owners Against Crime, addressed Council in objection to College Township's Code Chapter 139-3.M, under "Prohibited Conduct", which regulates firearms in parks and other recreational areas. Mr. Havener stated that firearms were regulated by the State and that College Township did not have the authority to adopt any such ordinances prohibiting the carrying of firearms in parks.

Mr. Brumbaugh, Township Manager, stated that a similar objection several years ago saw Council request the Township Solicitor to review and write an opinion on its ordinance, which, based on that opinion, was left to stand unchanged. That complainant at that time accepted the explanation and did not push the matter further. Mr. Brumbaugh offered Mr. Havener contact information for the Township Solicitor and encouraged him to request a full explanation of the Solicitor. Mr. Brumbaugh advised that Mr. Havener's letter was forwarded to the Township Solicitor, and staff expected a response within the next 60 to 90 days.

## **SPECIAL REPORT:**

### **SR-1 University Area Joint Authority (UAJA) Update**

Mr. David Lapinski, College Township Representative to the UAJA Board, presented a UAJA Status Report highlighting 1) UAJA user rates and tapping fees not being increased for 2011; 2) Redline Speedshine Car Wash connection to beneficial reuse water; 3) relocation of two beneficial reuse water tanks on the prior Corning property; 4) the completion of the reuse waterline now terminating at the Kissinger Meadow along E. Branch Road, and associated Kissinger Meadow project work now underway; and 5) the delivery in 2010 of 54,065,500 gallons of high-purity water to UAJA customers. Mr. Lapinski added that Mercuria Energy is marketing the beneficial reuse water for UAJA a period of three years.

Council offered comments on hope that demand for beneficial reuse water does not cause a burden on the treatment plant in the future; received a negative reply when asked if treatment plant compost could safely be used on home vegetable gardens; inquired about the Kissinger Meadows' ability to handle all of the beneficial reuse discharge; and was advised that UAJA crews were not able to efficiently perform the necessary stream augmentation work at the Kissinger Meadows' wetlands. In response to Council inquiry regarding any potential beneficial reuse water tank failure, Mr. Brumbaugh stated that he would work with the UAJA executive director to ascertain what safety measures were in place to handle the water.

*Chair Shoemaker postponed Agenda Item SK-1 to a point later in the meeting due to presenters delayed arrival.*

## **PLAN:**

### **P-1 Penn State University Biological Research Laboratory Preliminary/Final Land Development**

Mr. Richard Manning, Sweetland Engineering, presented the Penn State University Biological Research laboratory Preliminary/Final Land Development Plan. This plan is a new research facility located near the existing Animal Diagnostic Laboratory at University Park. The proposed 12,384 gross square foot laboratory is part of the agricultural research area of campus on the north side of Orchard Road. The project will consist of small animal holding and procedure spaces and laboratories comprising the majority of the assignable net-square footage. Supporting the main research space are office, break, and conference room functions, as well as a loading dock and associated building support spaces. This project will be built to LEED for New Construction V2.2 standards. Stormwater management is proposed utilizing a small retention area as per DEP Worksheet 6 for small projects. The site area to be developed is approximately two acres with an increase in imperviousness of 0.62 acres.

The Centre Regional Planning Agency reviewed and recommended approval of this plan. The Township's stormwater management review offered an approval recommendation pending two outstanding comments as noted in Mr. Donald M. Franson letter dated February 9, 2011 to Sweetland Engineering.

Following Council comments regarding incorrect label on plan relative to depth of gravel, and requests for plan clarification, Council took the following action.

**Mr. Klees moved to approve the Pennsylvania State University Biological Research Laboratory Preliminary/Final Land Development Plan, dated 12/22/2008, last revised 1/31/2011, with the following conditions:**

- 1. Payment of all outstanding plan review fees;**
- 2. Obtain all required signatures on the plan; and**
- 3. Correct plan to indicate two 'feet' of gravel shoulder instead of two 'inches'.**

**Mr. Fryer seconded the motion.**

**Motion carried unanimously.**

#### **MANAGER'S UPDATE:**

Mr. Brumbaugh, Township Manager, presented the February 17, 2011, Manager's Update, and highlighted Item #10-03, South Ridge/West Branch Road Project, announcing that the Highway Occupancy Permit (HOP) has been issued by PennDOT for this project. As College Township awaits its copy of this HOP, the developer can now move forward with this construction activity. Mr. Brumbaugh also brought to Council's attention Township correspondence regarding stormwater mitigation recommendations on property of Dr. Clair.

No other Council comments were forthcoming.

#### **CONSENT AGENDA:**

**CA-1 Minutes:**

February 3, 2011 Regular Council Meeting.

- CA-2 Incoming Correspondence:**
- /1: Email from Pamela Shellenberger, dtd Jan. 25, 2011, Requesting Permission for *Strides for Nature* 5K Event.
  - /2: Letter from Paul Emmerling, dtd Feb. 4, 2011, regarding Dover Circle Sidewalks Requirements.
  - /3: Letter from Adrienne Vicari, dtd Feb. 7, 2011, Opposing the Approval of the Mt. Nittany United Methodist Church Cell Tower/Bell Tower.

- /4: Letter from Windstream, dtd Feb. 1, 2011, re: Increases in Programming Costs.
- /5: Letter from Diane Chester, dtd Feb. 8, 2011, Opposing the Approval of the Mt. Nittany United Methodist Church Cell Tower/Bell Tower.
- /6: Letter from Ronald Nargi, dtd Feb. 14, 2011, Supporting the Approval of the Mt. Nittany United Methodist Church Cell Tower/Bell Tower.

**Dr. Remick moved to approve the February 17, 2011, Consent Agenda.**  
**Mr. Klees seconded the motion.**  
**Motion carried unanimously.**

**OLD BUSINESS:**

**OB-1 Ordinance O-11-01, University Planned District (UPD) Rezoning – Subdistrict 5 to Subdistrict 9**

Council held a public hearing this date to receive public comment on Ordinance O-11-01, University Planned District (UPD) Rezoing – Subdistrict 5 to Subdistrict 9. This ordinance amends the College Township Zoning Map to rezone a 4.7-acre portion of College Township Parcel 19-003-,100-,0000- from UPD 5 to UPD 9.

**Mr. Fryer moved to adopt Ordinance O-11-01, University Planned District (UPD) Rezoning – Subdistrict 5 to Subdistrict 9.**  
**Mr. Koll seconded the motion.**  
**Motion carried unanimously.**

*Chair Shoemaker called a five-minute recess at 8:00 PM to allow SK-1 presenters to arrange their presentation material and reconvened the meeting at 8:05 PM.*

**SKETCH PLAN:**

**SK-1 Proposed Student Housing Complex – State College Retreat and Zoning Ordinance Amendment Request**

Mr. Jon Williams, President, Williams and Associates, of Athens, Georgia, presented the proposed State College Retreat Student Housing by Retreat Partners and suggested a proposed amendment to the College Township Code to allow more than three unrelated residents to reside in a single unit in the Planned Residential District (PRD) Zoning District.

The proposed cottage-type homes have four and five bedrooms to accommodate that many individual students in each unit. The portion of this proposed site along Waupelani Drive that is in College Township is currently zoned R-1; however, the developer wishes to build this plan to PRD standards by way of a zoning change to allow the higher density dwelling units.

Council offered its general support of such a plan for this site and offered several comments on parking, lighting, CATA service, zoning amendment request procedure, and occupancy levels. Following discussion, Council requested developer to provide information on how the residents/students living in similar projects have worked out with the towns they are in.

**Mr. Klees moved that staff be directed to investigate the potential language changes that would accommodate the plan prior to returning this matter to Council.  
Dr. Remick seconded the motion.  
Motion carried unanimously.**

Mr. Jeff Flood, 249 W. Whitehall Road, spoke in opposition to this rezoning request and plan due to the large number of students in this development who would be bordering his property on two sides, lighting trespass, traffic, and noise problems. Mr. Flood suggested a better use for this property would be a development for professionals. However, should this project move forward, Mr. Flood urged the developer to build to LEED standards.

## **OB-2 Revised Employee Evaluations**

### **a. Review of Revised Employee Evaluation Forms**

Mr. Adam Brumbaugh, Township Manager, presented proposed modifications to the existing College Township Employee Evaluation form and requested Council comments to aid in the development of a new instrument. The proposed revisions are intended to address ratings creep, offer more realistic relationship between scores and individual outputs, and would offer the employee a realistic evaluation of their performance competencies.

After a brief discussion on revising employee evaluation forms, Council advised staff to avoid developing an evaluation that is too broad or cumbersome and suggested that employees provide some professional goals and objectives. Chair Shoemaker suggested that Council members provide any additional comments directly to Mr. Brumbaugh over the next week. This will be revised and returned to Council for further consideration.

### **b. Township Manager's Review**

In written communication dated Feb. 14, 2011, Mr. Brumbaugh forwarded a copy of the existing annual Manager Evaluation instrument, highlighting its deficiencies, and suggested a return to either Council's pre-2004 protocol of a written Manager review, including work done with the Water Authority, or a change to the use of a more standardized form, such as one utilized by the City of Klamath Falls, Oregon.

Council preferred receiving the Manager's self-evaluation prior to preparing their annual review, and subsequently requested this be reworked to reflect a hybrid review procedure that would include some scale along with written review and to include a mechanism for input from the Water Authority Board.

### **OB-3 Zoning Ordinance Reorganization**

Mr. Mark Holdren, CRPA Sr. Planner, made a presentation on the Zoning Reorganization project and suggested that this review is anticipated to take place over some time and at a number of Council meetings. Binders were provided to Council, which will be utilized over the course of this review. The information under this first review included an outline of proposed changes, a set of definitions, proposed zoning district regulations, and a map and appendix containing the existing map and district regulations.

The purpose of this meeting's initial review was to review the rural and residential zoning district regulations and consider proposed changes.

Following Mr. Holdren's comprehensive PowerPoint presentation, Council offered a few minor comments before recommending that this be more fully reviewed at a future workshop session.

### **NEW BUSINESS:**

No New Business was brought forward for consideration.

### **STAFF AND ABC INFORMATIVES:**

None.

### **OTHER MATTERS:**

1. Mr. Klees asked staff to provide the list of Council members who served as Chair over the past five years.
2. Mr. Fryer inquired about survey work being done at the reservoir, and staff replied that the Water Authority authorized the base work in preparation of the reservoir being reconditioned. Engineering drawings are being prepared, and the work should be bid out in mid-October.

### **COMMITTEE REPORTS:**

**Public Safety Committee** – Mr. Koll reported that COG requested the Public Safety Committee’s approval of the acquisition of new vehicles. Mr. Koll stated he urged COG to consider purchasing smaller vehicles in the future, as the Ford Escapes being procured now are not in line with COG’s agreement on sustainability. For future acquisitions, COG will prepare a needs analysis that will assist in selecting the most appropriate and economical vehicles for the fleet.

**Transportation and Land Use (TLU) Committee, February 7, 2011** – Mr. Klees reported that the TLU Committee received an update on the status of the comprehensive plan, and heard a presentation from CATA representatives on their service planning process for fiscal year 2011-2012. CATA expressed concern about the levels of state of federal funding and the impacts on the next budget cycle. The Committee members heard a review on the Halfmoon-Patton Land Area Plan, a traffic analysis of the Gray’s Woods area.

**Parks Capital Committee, February 16, 2011** – Mr. Klees reported that the Parks Capital Committee prepared several recommendations for the General Forum Meeting; reviewed proposal from consultant Jim Pashek, landscape architect, reflecting several items that could be taken out of the current development plan, such as reductions in contingencies and design fees and removal of the maintenance facility at Whitehall Road Park. These changes would allow for the two regional parks to be developed. Oak Hall Park would have four playing fields under this arrangement. Possible positive impacts of community fundraising to help with securing additional parks amenities have not yet been analyzed. The Committee sent the Hess Softball Fields Complex Master Plan forward with a third sketch showing a four-field arrangement with a relocated entrance should additional land be acquired, and changed the timeline for Hess Field development to begin in 2015 instead of 2016. Mr. Klees advised that Parks staff costs will go up because they would be transporting equipment because the maintenance facilities at the parks will not be constructed in this scenario. Mr. Klees’ recommendation that funding be added to the amount being borrowed to construct a maintenance facility at Oak Hall Park, but the Committee did not support this recommendation.

**Finance Committee, February 14, 2011** – Mr. Fryer reported that the Finance Committee reviewed the Schlow Centre Region Library budget formula; discussed the new municipalities participating in the Library; discussed repairs necessary by Building Capital; and considered the impacts of seeking a 20- or and 25-year quote. The Committee will request quotes on both before making a decision.

**ADJOURNMENT:**

**Mr. Klees moved to adjourn the February 17, 2011,  
Regular College Township Council Meeting.  
Ms. Shoemaker seconded the motion.  
Motion carried unanimously.**

Chair Shoemaker adjourned the February 17, 2011, Regular Council Meeting at 10:11 PM.

Respectfully submitted,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Manager/Secretary