

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, June 3, 2010**

ATTENDED BY -

COUNCIL: David W. Koll, Chair
Mary C. Shoemaker, Vice-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

CALL TO ORDER

Chair Koll called to order the June 3, 2010 Regular Meeting of the College Township Council at 7:00 PM followed by the Pledge of Allegiance.

OPEN DISCUSSION:

Ms. Leslie Asbury, Apple Hill Antiques, State College, stated that she was in receipt of a Township notice that their business was in violation of zoning permit requirements for their upcoming outdoor sale to be held on Saturday, June 5, 2010. Ms. Asbury requested Council's consideration of a waiver of a temporary business permit for this event based on being told in previous two years by Township staff that no permit was necessary due to the event being held just outside of their store. The only vendors participating are the tenant antiques dealers within the business. Ms. Asbury also recommended that the Township regulations be revisited to make both the forms and the process more user friendly.

Council suggested that future sales of this type conducted by Apple Hill Antiques should carry a different name, as "flea market" suggests that vendors from distant locations are coming in to sell yard sale items. After discussion, Council took the following action.

**Mr. Fryer moved to grant a waiver to Apple Hill Antiques
on Gerald Street from the temporary business permit
requirements for the 2010 event to be held June 5 and 6.
Mr. Klees seconded the motion.
Motion carried unanimously.**

SPECIAL PRESENTATION:

SP-1 Engineering Results of the Shiloh Road Stormwater Study

Messrs. Mark Ralston and Michael Pratt, Keller Engineers, presented the results of the Shiloh Road Stormwater engineering study for Council's review and comment. This study reviewed the College Township Water Authority's desire to implement an outfall protection and channel definition/ impervious lining project at the discharge points of existing culverts located along Shiloh Road and on the property owned by Dr. G. Clair. Current culvert discharges are causing erosion damage at the immediate outfall location, which is suspected of contributing to well turbidity issues at the nearby Rogers Well location.

The Pennsylvania Department of Transportation (PennDOT) reviewed this study, and their written comments were provided to Council as well as PennDOT's request for additional clarification.

Dr. G. Clair, property owner, expressed concern about the contamination of the nearby Rogers Well as well as the erosion problem, and preferred a piping option rather than a channel-and-lining approach, which he felt would ensure that access to acreage behind this point would remain accessible.

Staff strongly opposed a piping option, as an ineffective way to protect the natural drainageways that would still require that channeling further downstream would need to be done. The Township Engineer recommended that the Township, the College Township Water Authority, and PennDOT pursue this project as proposed.

Mr. Fryer stated that the farmland at this location should not be restricted from its use as tillable, operational farmland.

Chair Koll directed staff to bring this back after staff had an opportunity to meet with parties and consider some compromises.

MANAGER'S UPDATE:

Mr. Brumbaugh presented the June 3, 2010 Manager's Update highlighting the execution of a 12-month contract with Constellation for College Township Water Authority's (CTWA) bulk purchase of electricity from July 1, 2010, to June 30, 2011. CTWA will realize a twenty percent (20%) reduction in electric rates, compared to current rates. Based on a recent Allegheny Power press release, residential electric customers will experience a 4.1 percent increase with the upcoming deregulation of electric rates in 2011. This percentage is well below the prior deregulation projections. Quotes for municipal electricity rates are anticipated within two to three weeks.

CONSENT AGENDA:

- CA-1 Minutes:** May 20, 2010 Regular Council Meeting;
- CA-2 Incoming Correspondence:** /1: Letter from Rock Hill School at Linden Hall, dtd May 20, 2010, rescinding prior zoning request;
- CA-3 Report:** Finance Director's;
- CA-4 ABC Matters:**
- a. Early resignation of J. Jenkins from Schlow Centre Region Library Board effective June 3, 2010;
 - b. Appointment of M. Miller to the unexpired term of J. Jenkins on the Schlow Centre Region Library Board effective June 3, 2010, and to expire on Dec. 31, 2010;
 - c. Appointment of Joseph Leonard to Phase II of the Centre County Greenhouse Gas Emissions Pilot Project; term to expire at end of Phase II;
 - d. Appointment of Richard Harris to Phase II of the Centre County Greenhouse Gas Emissions Pilot Project; term to expire at end of Phase II;
- CA-5 Resolution:** R-10-09, Centre Area Transportation Authority Local Funds; and
- CA-6 Purchase Approval:** Tandem Axle Dump Truck.

Staff withdrew CA-6, Tandem Axle Dump Truck Purchase Approval, pending further investigation into better pricing.

Mr. Klees moved to approve the June 3, 2010 Consent Agenda, minus CA-4b. and CA-6.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

CA-4b. – Mr. Klees recognized that Ms. Miller had previously been interviewed by Council prior to her appointment to another Township board, but requested that a time be arranged to speak with Ms. Miller specifically about Council's expectations for this position on the Schlow Centre Region Library Board.

Mr. Klees moved to appoint Ms. Mary Ann Miller to the unexpired term of Mr. J. Jenkins on the Schlow Centre Region Library Board effective June 3, 2010, with term to expire on Dec. 31, 2010.

Dr. Remick seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-10-04, Places of Assembly, Set Public Hearing

Mr. Holdren, CRPA Sr. Planner, presented proposed Ordinance O-10-04, Places of Assembly, for Council consideration and comment. This ordinance would amend the College Township Code by amending Chapter 200, Zoning, to add the use 'Place of Assembly' and amending subsequent regulations relating to the definition of and where the use will be permitted. The intent of this ordinance would be to regulate in a similar manner all uses where people assemble for a common reason providing conformance with the Religious Land Use and Institutionalized Persons Act. The ordinance would also require landscaping and increased setbacks between residential and non-residential uses to help mitigate the impacts of such uses when in close proximity to each other.

Council offered numerous comments relative to accesses, residential units such as convents and parish houses being permitted, seeing enhanced definitions, and Floor Area Ratios (FAR) being too low. Comments resulted in direction to staff to modify the proposed ordinance. This proposed ordinance with, therefore, be revised and returned to Council at its next meeting for the setting of a public hearing.

NEW BUSINESS:

NB-1 Zoning Reorganization - Discussion

Mr. Holdren, CRPA Sr. Planner, reported that, since the adoption of zoning in College Township, numerous modifications have lent clarity and sometimes confusion or disorganization to the Code. Staff has begun identifying the zoning issues that persist in the day-to-day operation of the Township and suggested to Council several avenues that could be taken to standardize terms and enhance the clarity of College Township's zoning ordinance. As a result of these preliminary steps in evaluating the zoning ordinance, staff requested Council's authorization to further the idea of reorganizing and rewriting Chapter 200, Zoning. It would be staff's intent to develop a plan to outline how a reorganization of Chapter 200 would be facilitated, including identifying who should be involved in the process. Staff could then begin to formulate the revisions necessary and begin submitting them to Council and Planning Commission for review. Mr. Holdren requested that, if authorized, minor ordinance revision requests be withheld and/or incorporated into the rewrite.

**Mr. Klees moved to direct staff to proceed with possible Reorganization and review of Chapter 200, Zoning.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

NB-2 Henszey Street

a. Award of Paving Bid

Mr. Klees moved to award the Henszey Street Paving to Eby Paving and Construction, Inc. in an amount not to exceed \$38,027.

Mr. Fryer seconded the motion.

Motion carried unanimously.

b. Resolution R-10-07, Henszey Street Inclusion in PennDOT Liquid Fuels System

Ms. Shoemaker moved to approve Resolution R-10-07, Henszey Street Inclusion in PennDOT Liquid Fuels System, which conveys to PennDOT College Township's maintenance of Henszey Street and that it should be included in the liquid fuels program.

Mr. Fryer seconded the motion.

Motion carried unanimously.

STAFF AND ABC INFORMATIVES:

No comments.

OTHER MATTERS:

1. Mr. Klees advised that numerous properties along Branch Road had excessively high grass. Staff will investigate.
2. Ms. Shoemaker reported that several dead trees along Houserville Road and E. Branch Road appeared to be in dangerous conditions. Staff will advise PennDOT, who is responsible for those trees.
3. Mr. Fryer asked staff to make an inquiry to PennDOT into what work was being done this past week in front of Blaise Alexander dealership on E. College Avenue.
4. Mr. Fryer reported that the kiosk on the bike path has had its glass broken.

COMMITTEE REPORTS:

Transportation and Land Use (TLU) Committee, May 25, 2010: Mr. Klees reported that the TLU Committee reviewed the Centre Area Transportation Authority (CATA) and Centre County transportation services. Due to funding cutbacks, there were no plans to change projects going forward. The Committee also discussed the financial analysis of the Long Range Transportation Plan (LRTP) 2040. Mr. Klees reminded Council that currently funded transportation projects will be initiated and completed over the next few years; however, initiation and completion of as-of-yet unfunded projects beyond that time will slow down significantly. As an example of cutbacks, roads requiring new asphalt are only being seal-coated now.

Lock Haven Public Hearing, June 1, 2010: Mr. Klees reported that he traveled to Lock Haven to provide testimony on behalf of the Centre County Metropolitan Planning Organization (CCMPO) relative to the dire condition of funding for Pennsylvania highways. Revenues from liquid fuels are also down due to vehicles being more fuel efficient.

Parks Capital Meeting: In preparation for next week's Parks Capital Meeting, Mr. Klees requested Council's view on the Township's willingness to increase its municipal contribution to approximately fifty percent more than current levels in order to complete the three parks development projects at Oak Hall Park, Whitehall Road Park, and Hess Fields. Council offered no objection to the increase, which would be approximately 1.4 times its current contribution.

Public Services and Environmental Committee, June 2, 2010: Dr. Remick reported that the Public Services and Environmental Committee learned that Act 129 of 2008 passed and now requires public utilities to offer rebate programs to its residential customers for purchases of energy-efficient products. The Committee also discussed problems with stormwater drainage along curbed PennDOT highways and a proposed policy that would grandfather in existing highways by establishing a 'going forward' date. Dr. Remick announced that the Pennsylvania Ground Water Association would be conducting its Summer Field Conference on June 11, 2010, at Rock Springs, Pennsylvania.

Ad Hoc Economic Study Review Committee, June 3, 2010: Mr. Brumbaugh reported that the Ad Hoc Economic Study Review Committee interviewed candidates and will make a recommendation shortly to the TLU Committee.

ANNOUNCEMENT:

Chair Koll suggested that Council cancel their July 1, 2010 Regular Meeting, and Council offered no objection. Staff will advise if something significant comes in that Council must attend to on July 1st. Otherwise, the July 1, 2010 Council Meeting will remain canceled.

ADJOURNMENT:

Chair Koll adjourned the June 3, 2010 Regular College Township Council Meeting at 9:30 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary