

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, October 21, 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
Lucy Beman, Recording Secretary

ABSENT: Mary E. Wilson, Assistant Township Secretary

CALL TO ORDER

Chair Koll called to order the October 21, 2010 Regular Meeting of the College Township Council at 7:00 PM followed by the Pledge of Allegiance.

ANNOUNCEMENT:

Chair Koll announced that Council met in Executive Session immediately prior to this meeting for the purpose of discussing a personnel matter.

OPEN DISCUSSION:

None.

PLAN:

P-1 Centre Medical Sciences Building II; Time Extension Request

In written correspondence dated October 7, 2010, Ms. Karla J. Coudriet, P.E., Gannett Fleming, requested a 90-day time extension of the Centre Medical Sciences Building II Plan to allow for plan finalization and recordation.

Ms. Coudriet addressed Council stating that a bonding issue still needs to be resolved prior to the developer being able to record this plan.

Mr. Fryer moved to grant a 90-day time extension to the Centre Medical Sciences Building II Plan to allow for the finalization and recording of the plan.

Dr. Remick seconded the motion.

Motion carried unanimously.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the October 21, 2010, Manager's Update highlighting 1) Country Inn and Suites' developer will be making their Highway Occupancy Permit (HOP) submission to PennDOT next week; and 2) UAJA's stream augmentation work is underway in the Kissinger Meadow on E. Branch Road.

Mr. Baker reported that staff revisions to the South Ridge agreement have been sent off for review, and comments are expected back in the next few days.

CONSENT AGENDA:

- CA-1 Minutes:** a. October 7, 2010 Regular Council Meeting.
- CA-2 Incoming Correspondence:** /1: Letter from Rep. Glenn Thompson, dtd Oct. 1, 2010, regarding EPA public comment period on Chesapeake Bay TMDLs.
- /2: Letter from CEI, dtd Oct. 8, 2010, re: Walmart Subdivision Plan-Withdrawal of Submission.
- CA-3 Report:** Act 32 Collection Agreement.

Council noted a typographical error in the minutes and pulled Consent Agenda item CA-3 before moving to accept the Consent Agenda of October 21, 2010.

Mr. Klees moved to approve the October 21, 2010 Consent Agenda, minus CA-3.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

CA-3: Ms. Shoemaker commented on the superlative effort put forth by staff on the Act 32 Collection Agreement, and Mr. Brumbaugh identified and thanked Mr. Long, Finance Director, for those efforts.

Ms. Shoemaker moved to receive Consent Agenda Item CA-3.
Mr. Klees seconded the motion.
Motion carried unanimously.

Chair Koll brought agenda item OB-3, 2011 Police Hours, forward on the agenda.

OLD BUSINESS:

OB-3 2011 Police Hours; Discussion and Recommendation

Following an October 7, 2010, presentation from Chief T. King, State College Borough Police Department, on the Proposed 2011 Police Services Budget, Council placed this matter on the October 21st agenda for the consideration of the Police Department's recommended increase in police services from 256 hours per week to 258 hours per week for 2011. The proposed hourly cost to College Township for police services in 2011 will be \$91.24 per hour for regular contracted hours of service and \$105.59 for all hours in excess of the regularly contracted hours.

After discussion, Council elected to keep monthly police service hours at the 2010 level of 256 hours of police services per week and accepted the hourly rates as quoted.

Mr. Fryer moved to set the hours for police services provided by the State College Borough Police Department at 256 hours per week, same as 2010 level.
Mr. Klees seconded the motion.
Motion carried unanimously.

Chair Koll brought agenda item OB-2, Limerock Terrace Rezoning, forward on the agenda.

OB-2 Limerock Terrace Rezoning; Set Public Hearing

The intent of the rezoning of Limerock Terrace is to allow the currently zoned area of C-1, General Commercial, to R-2, Two-Family Residential District, in order to provide a buffer between low-density residential neighborhoods and more intense land uses; to provide for low- and medium-income housing; and to promote diversity of housing types and character. The requester owns tax parcel 19-008-101 at 234 Limerock Terrace, a parcel of 2.97 acres. However, due to the small size and lack of adjacent properties zoned as R-2, three other parcels were included in the rezoning request for a total of 5.33 acres being considered for this rezoning. This area being proposed for rezoning is within the Regional Growth Boundary.

In written correspondence to Council dated October 15, 2010, Mr. M. Holdren, CRPA Sr. Planner, advised that the College Township Planning Commission voted 5 to 2 in favor of the rezoning as proposed, although residents, in general, were not in favor of the rezoning.

After discussion, Council elected to move this proposed ordinance to public hearing.

Mr. Fryer moved to set a public hearing for the Limerock Terrace Rezoning for November 18, 2010.

Dr. Remick seconded the motion.

Ms. Cathy Aschiero, 166 Limerock Terrace, expressed concern for this rezoning due to the potential for decreased property values as a result of additional rental units being constructed.

Ms. Kerry Wiessmann, 162 Limerock Terrace, does not oppose development but expressed concern about how it is developed, what the improvements to Limerock Terrace would look like, and what traffic impacts might be to the residents. Ms. Wiessmann would not care for homes being built along E. College Avenue and questioned the low numbers of students projected for entering the school district from this potential development.

Council explained that they could not answer the questions being presented because they cannot be influenced by the nature of planned development but can only judge the merit of the rezoning request against the need for such a change.

Mr. Fryer called the question.

Motion carried unanimously.

To answer Ms. Wiessmann's comment relative to residences possibly being built on the E. College Avenue parcel, Mr. Eric Casanave, Penn Terra Engineering, said that, due to steep inclines and an unnamed tributary to Spring Creek on that parcel, it is highly unlikely that any residences would be built along E. College Avenue.

OB-1 Ordinance O-10-10, Property Maintenance and Fire Code; Adoption of

Ordinance O-10-10, Property Maintenance and Fire Code, proposes to amend the Centre Region Building Safety and Property Maintenance Code, 2010 Edition, also known as College Township's Chapter 152 – Property Maintenance and Fire Code, relative to minimum habitable space requirements. This discussion was carried forward from the September 16, 2010, Regular Council Meeting in order to allow staff time to revise ordinance language and allow a review of the revised ordinance by the Centre Region Code Administration.

Dr. Walter Schneider, Director of the Centre Region Code Administration, described Centre Region Code Administration's interpretation of the minimum habitable space requirements as precluding homes from being rented that do not have a minimum bedroom size of 100

square feet. This interpretation is prohibiting the renting of otherwise acceptable homes in College Township, mobile homes in particular.

Staff recommended that Council consider reverting to the previous minimum habitable space standard of 70 square feet for a bedroom, as now defined in this revised, proposed ordinance amendment.

**Mr. Klees moved to adopt Ordinance O-10-10, Property Maintenance and Fire Code, amending the Centre Region Building Safety and Property Maintenance Code, 2010 Edition, also known as College Township's Chapter 152 – Property Maintenance and Fire Code, changing minimum habitable space requirements back to 1998 standards.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

OB-4 Zoning Reorganization – Discussion

Mr. Brumbaugh, Township Manager, requested that Council defer this item to the November 4, 2010, Regular Council Meeting, and Council so deferred.

NEW BUSINESS:

NB-1 Sidewalks in Canterbury Crossing – Discussion

Mr. John Franek, Zoning Officer, reported that while researching a lot in Canterbury Crossing, staff realized that a note on the approved subdivision plan in Phase I of this subdivision requires that sidewalks must be installed at a time deemed necessary by Council and that materials for the sidewalk will be paid by each individual lot owner. Only one property within the replot section of Phase I has a sidewalk. This requirement would affect six lots, two of which are vacant.

Some members of Council stated that they were not inclined to request sidewalks on Dover Circle nor did they argue for a sidewalk along Scenery Drive on Lot 8R.

Staff will send a letter to S&A that the last two lots in Phase III need sidewalks at this time.

Staff was directed to advise the developer of and property owners in Canterbury Crossing Phase I along Brandywine Drive, including the eyebrow and Dover Circle, that Council will be placing this matter on an upcoming agenda for additional discussion and for the receipt of resident comments.

STAFF AND ABC INFORMATIVES:

No comments.

OTHER MATTERS:

1. Dr. Remick praised the good work done on the new path from the cul-de-sac on Brandywine Drive to the top of the hill.
2. Dr. Remick questioned the small, 20-foot-long stretch on Waupelani Drive that is missing sidewalk, and Mr. Klees replied that this was a potential right of way into the property from Waupelani Drive.

COMMITTEE REPORTS:

Executive Committee, October 19, 2010: Mr. Fryer reported that the Executive Committee set the agenda for the October 2010 General Forum meeting.

Finance Committee, October 18, 2010: Mr. Fryer reported that the Finance Committee held discussions with Mr. Chris Gibbons, Concord Public Services, about increasing the park contributions. The Committee also wrapped up budget hearings.

Mr. Klees later added that, on a split vote, the Committee supported a contribution of \$425,000 per year going toward Parks Capital, although this will go to the General Forum for a final COG vote.

Parks Capital, October 21, 2010: Mr. Klees reported that Parks Capital Committee 1) received updates from internal staff on the Development of Regional Impact to allow sewer line extension to run to the Whitehall Road Regional Parkland; 2) received a \$191,000 grant for the acquisition of 25 acres of parkland along Whitehall Road; 3) was advised that, following the Hess Softball Field Complex acquisition closing, the State College Area School District refunded \$1,311.20 because that property went from taxable to non-taxable; however, Centre County refused to offer its refund of \$164.56 citing court cases supporting their right to retain those funds; 4) received a staff update on work underway to make the current softball fields more playable for the Spring 2011 softball season; 5) heard an update from Mr. Paschek on the committee meeting on Hess Softball Field Complex; 6) will change from the current formula based on millage to the COG formula; and 7) discussed the potential timeline showing potential parks construction occurring in Oak Hall Park in 2012, Whitehall Road Park in 2013, and Hess Field possibly in 2014.

Public Safety Committee, October 20, 2010: Chair Koll reported that the Public Safety Committee received a presentation from Mr. Steve Bair, COG Fire Director, on the assessment of community impacts of large events.

ADJOURNMENT:

Chair Koll adjourned the October 21, 2010, Regular College Township Council Meeting at 8:53 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary