

**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Monday, January 5, 2015**

ATTENDED BY:

COUNCIL:

L. Eric Bernier, Chair
Lynn B. Herman, Vice-Chair
Carla Stilson
D. Richard Francke
William H. Sharp

STAFF:

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

CALL TO ORDER:

Chair Bernier called to order the January 5, 2015, Regular College Township Council Meeting at 7:49 PM and noted that those present recited the Pledge of Allegiance at the beginning of Council's Reorganization Meeting immediately preceding this meeting. By Council consensus, the Pledge of Allegiance will now be recited at the official start of each open Council meeting.

OPEN DISCUSSION:

No *Open Discussion* matters were presented.

MANAGER'S UPDATE:

Mr. Brumbaugh presented the January 5, 2015, Manager's Update, highlighting Council's approval of a trial period for winter maintenance on the S. Atherton Street bikepath.

CONSENT AGENDA:

CA-1 Minutes:

- a. Dec. 18, 2014, Public Hearing on 2015 Proposed College Twp. Budget
- b. Dec. 18, 2014, Regular Council Meeting
- c. Dec. 23, 2014, Special Meeting - Interviews

- CA-2 Correspondence:** /1: Letter from Toby Carlson, dtd Dec. 21, 2014, supporting winter maintenance of the S. Atherton St. bikepath
 /2: Letter from PA DEP, dtd Dec. 17, 2014, subj: Receipt of Notice of Intent to Remediate – AARRIS Solutions, Inc.
 /3: Letter from Firearms Industry Consulting Group, dtd Dec. 24, 2014, subj: Unlawful Firearm Regulations
- CA-3 Resolution:** a. R-15-02; Document Destruction Authorization
 b. R-15-04; Stop Sign – Hartman Farm Lane at Dreibelbis Street
 c. R-15-05; Parking Restrictions, Mt. Nittany Road

Council pulled Consent Agenda items CA-2/2 and CA-3.c. for discussion.

Ms. Stilson moved to approve the January 5, 2015, Consent Agenda, minus CA-2/2 and CA-3.c.

Mr. Herman seconded the motion.

Motion carried unanimously.

CA-2/2: Mr. Francke asked if Council wished to make any request of PA DEP. Mr. Brumbaugh, Township Manager, advised that the site being referenced does not present a major contamination problem. Council directed staff to gather additional information on the noted remediation. If, in the Manager's opinion, this is a minor situation, staff could refrain from submitting any official request.

CA-3.c: Ms. Stilson requested clarification on exactly where the parking restrictions would be put in place on Mt. Nittany Road, and staff confirmed that it would include the roadway along the curve.

Mr. Francke moved to receive and approve Consent Agenda items CA-2/2 and CA-3.c.

Ms. Stilson seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-15-02, Permitted Building Heights of the Gateway Commercial Zoning District Amendments; Discussion

In written correspondence to Council, dated December 29, 2014, Mr. Mark Holdren, CRPA Sr. Planner, presented proposed Ordinance O-15-02, which proposed to amend the Gateway Commercial Zoning District to restrict buildings to no more than 35 feet in height within 150 feet of a single-family home within the zoning district. Prior to setting a January 22nd public hearing date on this ordinance, Council previously directed staff to include an additional exception to the 35-foot height restriction on properties where 40 percent or more of the property is encumbered with riparian and conservation buffer requirements. This exception is included in the advertised ordinance. However, following the Planning Commission's review of,

and unanimous objection to, that Section 2.H.(3) modification, staff returned the matter to Council for direction on whether or not to move this forward as currently presented. Removing the added exception would impact two properties, one adjacent to Blaise Alexander Dealership on E. College Avenue and the other on Elmwood Street.

Mr. David Sweetland, Sweetland Engineering, representing potentially impacted property owners, reported that, as a result of the recent rezoning of the Hilltop area, 80 percent of his client's lot is now restricted from developing 55-foot structures and expressed opposition to the removal of the proposed exception.

Mr. Holdren requested Council's view on whether or not the addition of Subsection (3) in the proposed ordinance remains appropriate. If not appropriate and staff is directed to delete it, the ordinance would need to be revised and a new public hearing date set.

Following Council discussion, Council took the following action.

**Ms. Stilson moved to direct staff to remove the referenced Subsection (3) from the proposed ordinance; cancel the January 22 public hearing; and set a new public hearing date for the revised, proposed ordinance for February 19, 2015.
Mr. Sharp seconded the motion.
Motion carried unanimously.**

NEW BUSINESS:

NB-1 Ordinance O-15-04, Amendments to Chapter 139, Parks and Recreation Areas (Firearms in Parks)

In correspondence to Council, dated January 5, 2015, Mr. John J. Franek, Jr., Management Analyst, reported that College Township received a letter from Firearms Industry Consulting Group, Consent Agenda item CA-2/3, advising that College Township's parks ordinance currently contains language that illegally restricts the possession of guns on public park properties, as such regulations have been deemed not to be within the purview of local municipalities to control. College Township previously corrected its parks ordinance relative to firearms but missed that opportunity to correct this overlooked section. Therefore, staff recommended that a proposed ordinance amendment be advertised for public hearing, which, after adoption, would bring College Township's ordinance into state compliance with House Bill 80, Act No. 2014-192. Council acknowledged that this was a sensitive topic and recognized that, regardless of personally held positions on the matter, local municipalities do not have the authority to govern firearms.

**Mr. Francke moved to authorize the advertising of Ordinance O-15-04, Amendments to Chapter 139, Parks and Recreation Areas, for public comment and subsequent adoption at the February 5, 2015, Regular Council Meeting.
Mr. Herman seconded the motion.
Motion carried unanimously.**

STAFF AND ABC INFORMATIVES:

No *Staff and ABC Informatives* were pulled for discussion.

COMMITTEE REPORTS:

No *Committee Reports* were presented.

ADJOURNMENT:

Hearing of no further business, Chair Bernier called for a motion to adjourn.

**Mr. Herman moved to adjourn the January 5, 2015, Regular
College Township Council Meeting.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

Chair Bernier adjourned the January 5, 2015, Council Reorganization Meeting at 9:00 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary