

**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES**

Thursday, January 21, 2016

7:00 PM

1481 E. College Avenue, State College, Pennsylvania

ATTENDED BY:

COUNCIL:

Lynn B. Herman, Chair
D. Richard Francke, Vice-Chair
Carla Stilson
L. Eric Bernier
Steven Lyncha

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Mark Gabrovsek, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

CALL TO ORDER:

Chair Herman called to order the January 21, 2016, Regular College Township Council Meeting at 7:08 PM, following a public hearing on proposed Ordinance O-16-01, Heritage Trees, and noted that those present recited the Pledge of Allegiance prior to that public hearing.

OPEN DISCUSSION:

Chair Herman announced that Mr. Wade Allen Bonsell of College Township was presented with his Eagle Scout Award on January 16, 2016. Chair Herman and Councilman Eric Bernier were in attendance at that ceremony representing Council where Chair Herman officially presented Mr. Bonsell with College Township Resolution R-16-04, recognizing his outstanding accomplishment. The Chair noted that Mr. Wade Bonsell was the fifth Bonsell male in his family to earn his Eagle Scout designation.

MANAGER'S UPDATE:

Mr. Brumbaugh presented the January 21, 2016, Manager's Update, reporting on 1) staff's meeting with Delta Development about securing grant funding for the Pike Street Streetscape Project; and 2) the status of the Nittany Outdoor Advertising legal lawsuit.

COMMITTEE REPORTS:

Transportation and Land Use (TLU) Committee, January 11, 2016: Mr. Bernier reported that TLU held its Reorganization Meeting and also reviewed the COG Articles of Agreement relative to their Committee along with a list of potential agenda items for 2016.

Executive Committee, January 19, 2016: Mr. Bernier reported that the Executive Committee 1) held its Reorganization Meeting; 2) reviewed the upcoming General Forum Meeting agenda; and 3) discussed providing additional funds by May 1st for the completion of the Centre Region Senior Center at the Nittany Mall.

Finance Committee, January 14, 2016: Mr. Francke reported that he and Mr. Robert Long attended the Finance Committee, which 1) held its Reorganization Meeting; 2) reviewed the COG Articles of Agreement regarding Finance Committee taskings; 3) discussed the Senior Center renovations, recommending that COG increase the CRCA loan and repurposing \$20,000 from the regional parks fundraising plan to an immediate fundraising effort for that facility; 4) received an update on Alpha Engine 514 and the 1991 Pierce Aerial Unit, supporting the review of additional costs to extend the life of Engine 514 and the sale of the Pierce Aerial; and 5) approved voucher reports. Mr. Francke advised that the permitted value of new construction inspected by CRCA in 2015 exceeded \$255,000,000 and that Benner Township's withdrawal from CCMPO as voting/funding member will require a budget revision.

Parks Capital Committee, January 14, 2016: Ms. Stilson reported that Parks Capital held its Reorganization Meeting before reviewing the *2015 Parks and Program Report*, and subsequently discussing the Centre Region Senior Center renovation costs being significantly over budget.

Public Services and Environmental Committee (PS&E), January 21, 2016: Ms. Stilson reported that PS&E 1) held its Reorganization Meeting; 2) received an inquiry from a resident about the details of the current regional waste collection program relative to zero-waste households; and 3) discussed the topic of beneficial reuse water possibly serving the Mountain View Country Club in Boalsburg.

Public Safety Committee, January 14, 2016: Mr. Lynch reported that the Public Safety Committee 1) held its Reorganization Meeting; 2) recommended reappointments to the Code Board of Appeals; 3) received updates on damage incurred by Engine 514 and costs for repair and upgrade; 4) discussed and supported the lease of fire apparatus from the Bellefonte Borough while Engine 514 is out of service; and 5) received a review from Fire Director Steve Bair of storage space issues and possible solutions.

Human Resources Committee (HR), January 17, 2016: Although unable to attend this meeting, Chair Herman reported that HR held its Reorganization Meeting.

Council reported that College Township now had leadership roles on COG committees with Ms. Stilson being Vice Chair of both the Parks Capital and the Public Safety and Environmental Committees and Eric Bernier's being Chair of the COG Executive Committee and General Forum.

CONSENT AGENDA:

- CA-1** Minutes: a. Dec. 17, 2015, Regular Council Meeting
b. Dec. 23, 2015, Special Council Meeting
c. Jan. 4, 2016, 2016 Reorganization Meeting
d. Jan. 4, 2016, Regular Council Meeting
- CA-2** Correspondence: /1 Letter from the Department of the Auditor-General, dated Dec. 7, 2015, announcing an upcoming examination of Liquid Fuels Tax Fund Forms
/2 Email from Mr. Michael Lembeck-Edens, dated January 17, 2016, tendering his resignation from the College Township Parks and Recreation
- CA-3** Lease Agreement: Authorizing Township Manager to execute a five-year lease for the Lemont Post Office, through the Post Office's lease consultant, CBRE, Inc., at \$1,727/month (\$20,724/yr.) and a one-time commission of \$750.00 to CBRE, Inc.
- CA-4** ABC Appointment: Anthony Fragola reappointment to full term on Planning Commission, effective Jan. 4, 2016, with term expiration of Dec. 31, 2019;
Approval of

Ms. Stilson moved to approve the January 21, 2016, Consent Agenda, as presented.

Mr. Lynch seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-16-01, Heritage Trees; Consideration of Adoption

In correspondence to Council, dated January 11, 2016, Mr. Mark Holdren, CRPA Sr. Planner, introduced proposed Ordinance O-16-01, Heritage Trees. This ordinance would amend the College Township Code to require notification of the pending removal of large trees in districts or sites listed on the National Register of Historic Places and allow for the creation of a Heritage Tree Program to allow property owners to voluntarily register their large trees into that program. The intent of this ordinance is to recognize, foster appreciation of, and protect large shade trees. It is, furthermore, the intention of this ordinance to provide awareness of the benefits of protecting trees, as they provide shade, wildlife habitat, counteract pollutants, and decrease wind velocities and noise.

Mr. Holdren advised that at their December 3, 2015, Regular Meeting, the Centre Regional Planning Commission (CRPC) reviewed this proposed ordinance, as required by law, and determined that, as written, this ordinance did not appear to provide sufficient regulatory authority for the Township to protect heritage trees and recommended that College Township Council consider non-regulatory options or revise the ordinance language to grant the Township clear authority to regulate heritage trees on private property. Likewise, the College Township Planning Commission (PC) felt that the ordinance would be burdensome to current and future homeowners. PC voted unanimously to recommend to Council the denial of this proposed

ordinance based on lack of enforceability; infringement on property rights; lack of clarity, and lack of effectiveness.

Following the review of public comments during the preceding public hearing, Council offered general support for the ordinance; however, there was some Council concern relative to restrictions placed on property rights.

Mr. Lyncha, prior Planning Commissioner, stated that this proposed ordinance would fine an unsuspecting property owner who cuts their tree down. Additionally, Mr. Lyncha suggested that property owners should be granted the ability to remove their tree from the program.

Consideration was given to sending the adopted ordinance back to Planning Commission for comments relative to how they think the ordinance amendment could be improved.

**Mr. Bernier moved to approve Ordinance O-16-01, Heritage Trees, as presented.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

**Mr. Bernier moved to remand to Planning Commission adopted Ordinance O-16-01, Heritage Trees, to address the concerns that Mr. Lyncha noted and any others that the Planning Commission had.
Mr. Lyncha seconded the motion.
Motion carried unanimously.**

OB-2 Mountainview Avenue/Manor Drive Access Alternatives; Discussion

In correspondence to Council, dated January 18, 2016, Mr. Kent Baker, Township Engineer, synopsised the safety concerns associated with the steep-sloped Manor Drive descending to SR 26/E. College Avenue. Mountainview Avenue, a cul-de-sac street at the top of Manor Drive, must also use Manor Drive as its sole means of access. Following Council and public discussions at both the June 4 and September 3, 2015, Council meetings, Council contracted with Keller Engineers, Inc., for the development of a concept design report that would offer options for improving the current access to Mountainview Avenue via Manor Drive or to replace Manor Drive entirely with a new and more suitable roadway alignment.

The Keller report presented to Council defined five possible options along with approximate costs to complete each, including needed costs to acquire rights of way. However, Keller did not offer any recommendations on those options.

Option A1 – Short Alignment of Mountainview Avenue to Ivy Hill Drive with 250-foot centerline radius	\$ 502,905
Option A2 – Short Alignment of Mountainview Avenue to Ivy Hill Drive with reduction to 150-foot centerline radius	\$ 497,048
Option B – Long Alignment of Mountainview Avenue to Ivy Hill Drive at Holly Ridge Drive	\$1,104,228
Option C – Mountainview Avenue extension to Commercial Boulevard	\$ 733,473
Option D – Manor Drive Realignment	\$1,505,491
Option E – Manor Drive improvements	Varies

Mr. Michael Pratt, P. E., Keller Engineers Project Manager, was in attendance and presented the above options but reiterated that his firm did not offer a recommendation on which option would be optimal.

Mr. Baker, Township Engineer, explained that all winter maintenance on the private, 18-percent-grade Manor Drive had been, for more than 40 years, performed by former property owner Mr. Dorsey Houtz. College Township provided Mr. Houtz with salt. However, no plowing or other types of winter maintenance were or have been performed by the Township due to the roadway being private and the Township's wish to avoid assuming any liability.

Mr. Brumbaugh, Township Manager, stated that it was the township solicitor's opinion that the travelling public should be notified by signage that would identify the right-of-way location at the bottom of Manor Drive where the Township ceases to provide road maintenance. Mr. Brumbaugh added that the township solicitor further advised that the entire neighborhood remains the responsible party for the road maintenance and upkeep of both Manor Drive and Mountainview Avenue.

In response to Council inquiry about how stormwater would be managed following a connection to Ivy Hill Drive, Mr. Baker advised that the Township might have to take over the stormwater facility at Stearns Crossing in order to maintain it.

Council commented on, or inquired about, 1) an emergency access being created privately at Mountainview Avenue through the Celebration Hall/Hoag's Catering (Moerschbacher) or Tubbies' Spa and Patio (Klaban) properties; 2) the possibility of reconstructing Manor Drive by increasing the slope at the top of the hill and decreasing the slope at the bottom; 3) considering a revision to Option D, allowing it to be steeper than eight percent (8%) and directing it between two of the apartment buildings at the top; 4) identifying Council's priorities on how to analyze Keller's report, and 5) acquiring an estimated cost of snow removal to be shared equally among the property owners.

To assist Council in its review, Mr. Brumbaugh offered a historical perspective, advising that, about 12 years ago, Council started, and thereafter continued, placing Manor Drive in its Capital Improvement Plan due to Council's primary focus on public safety.

Mr. Bill Klaban, owner of Tubbies' Spa and Patio, stated that, if a roadway system was created through to Commercial Boulevard, his business would lose 28 of its 39 parking spaces and the tractor trailers delivering products would no longer be able to access his property. This would put him out of business.

Ms. Sharon Ambrose, President of the Stearns Crossing Homeowners' Association, presented a petition to Council on behalf of their HOA opposing any road connections to Mountainview Avenue due to zoning differences, devaluation of Stearns Crossing property values, the slope at upper Ivy Hill Drive being greater than College Township's maximum at 12 percent (12%), and negative impacts to Stearns Crossing's stormwater detention basins. The petition further declared that, if after the Township fully explores an alternate connection to Commercial Boulevard and determines it is not the best alternative, a connection to Ivy Hill Drive and Holly Ridge Drive would be preferable, creating a safer traffic flow through a four-way intersection and like-zoned roads being connected. Additionally, if that Holly Ridge Drive connection was made, the HOA would ask that College Township accept responsibility for all maintenance of the stormwater detention basins in exchange for the use of any remaining capacity.

Mr. Moerschbacher, owner of Celebration Hall/Hoag's Catering, voiced opposition to a connection suggested through his business's parking lot, as vehicles would be driving at 25 MPH through his parking lot. Additionally, tractor trailers would have a difficult time accessing his facility if the cul de sac, used for truck maneuvering, was removed to accommodate this suggested connection.

Mr. Bernie Oravec, Mountainview Avenue, stated that connecting to Commercial Boulevard would be a devastating action against the two businesses and suggested that the Township continue with the plan that has been in place and has had developments being built around it. Mr. Oravec requested that Council make public safety its priority by extending Mountainview Avenue onto Ivy Hill Drive and to do so before something terrible happens.

Mr. Tim Kerchinski, Ivy Hill Drive, stated that he felt that a Commercial Boulevard connection would be the safest route, especially in light of discussions at a prior Planning Commission meeting that indicated the desire of the church property development to include commercial uses, such as hotels and residences.

Mr. Brumbaugh clarified that the current church plans for Phase 1 do not incorporate the commercial elements that had been reflected on the church's sketch plan presented to Council five years ago and that the church property owner had expressed agreement with working with the current access to Ivy Hill Drive, as planned.

Mr. Bob Elliott, Holly Ridge Drive, supported the Commercial Boulevard connection, as there is a traffic light at Gerald Street. Mr. Elliott added that coming off of Holly Ridge Drive onto Ivy Hill Road is a dangerous intersection and poses a major safety concern at Houserville Road.

Mr. Ernest Erdecky, Ivy Hill Drive, urged Council to think about the safety of the children who walk in the street down Manor Drive to catch their school bus and also questioned whether or not the bus would be able to negotiate a 12 percent (12%) grade. Mr. Erdecky asked if the Township had contacted the school district for input.

Mr. Brumbaugh advised that the school district would be contacted if Council narrows down an option that could result in school transportation impacts to that area. In response to Mr. Erdecky's follow-up question about the Township now requiring more than one access point, Mr. Brumbaugh confirmed that the Township liked to have more than one access into a community.

Mr. Bill Klaban suggested that Mr. David Corneal, Old Island Hotels property owner on Manor Drive, should have some pressure placed upon him and added that a 12 percent grade onto Ivy Hill Drive is much better than the existing 18 percent grade.

Council's final comments included 1) asking Keller Engineers to look at Mr. Lynch's suggested route through the Celebration Hall property to Commercial Boulevard, including a cost estimate; 2) requesting comments from Centre Region code and fire offices and legal counsel; 3) considering a way that the Township could help the property owners on Manor Drive and Mountainview Avenue develop a road maintenance agreement; 4) evaluating traversing between two buildings to connect to Option D; 5) directing staff to obtain historical crash data and traffic counts, if any; and 6) finding a way to encourage Old Island Hotels principals to come to the table.

Mr. Brumbaugh stated that staff would continue to offer winter maintenance at the bottom of Manor Drive in the area of the right of way.

NEW BUSINESS:

No *New Business* was presented.

STAFF AND ABC INFORMATIVES:

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

OTHER MATTERS:

1. Chair Herman reported that Ms. Haining Schoeneman, a recent appointee to the College Township Planning Commission, had been present at this meeting but departed prior to Council's introducing her to the audience.
2. Chair Herman requested that staff provide to Council copies of the two ABC applications on record in consideration of upcoming vacancies anticipated on the Parks and Recreation Committee.

ADJOURNMENT:

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

**Mr. Lyncha moved to adjourn the January 21, 2016,
Regular College Township Council Meeting.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

Chair Herman adjourned the January 21, 2016, Council Reorganization Meeting at 9:37 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary