

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, February 20, 2014**

ATTENDED BY:

COUNCIL:

David P. Fryer, Chair
Mary Shoemaker, Vice-Chair
L. Eric Bernier
Lynn B. Herman
Carla Stilson

STAFF:

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

CALL TO ORDER

Chair Fryer called to order the February 20, 2014, College Township Regular Council Meeting at 7:04 PM, following public hearings on Ordinance O-14-01, Barn Brewing Rezoning Request - R-1 to GC, and Ordinance O-14-03, Minor Zoning, Land Development, and Subdivision Amendments.

OPEN DISCUSSION:

1. Ms. Kristin Saacke Blunk, Spring Creek Watershed Association, distributed a flyer on the Spring Creek Watershed Commission's March 19th workshop, entitled *Stormwater Management: Looking for Innovative Approaches*, to be held at the Visitors and Convention Center, and encouraged the elected officials and staff to attend.
2. Mr. Randy Riesterer, President, Independence Place Condominium Association, requested that the township engineer come look at their roads to determine what would be needed to bring the roads up to Township standards in consideration of the Township's takeover of those roads. Mr. Brumbaugh, Township Manager, agreed to arrange an initial meeting for staff and Independence Place representatives but stressed that there would be difficulties in making the roads public. Mr. Riesterer will contact Mr. Brumbaugh to identify a time for this meeting. Chair Fryer directed staff to add this matter to the Manager's Update.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the February 20, 2014, Manager's Update, offering an update on the Slab Cabin Run HQ Designation item and reporting that the February 24, 2014, Centre Region COG General Forum Meeting had been cancelled.

CONSENT AGENDA:

CA-1 Minutes:

WITHDRAWN

CA-2 Correspondence:

- /1: Letter from ClearWater Conservancy, dtd Jan. 29, 2014, regarding the April 26, 2014, Watershed CleanUp Day event.
- /2: Letter from Dennis Hameister, dtd Jan. 23, 2014, requesting C-NET sponsorship of two 2014 Spring Creek Watershed Commission Meetings.
- /3: Letter from Comcast, dtd Feb. 7, 2014, regarding Notification of Comcast Changes.
- /4: Letter from Mr. John Kresse and Ms. Jeanne Krout, dtd Feb. 6, 2014, requesting no parking from Buchenhorst to Penbrook Lane and recommending an increase in fines.

Council wished to discuss most of the Correspondence items individually.

CA-2/1: Mr. Bernier asked if the Watershed CleanUp Day request for Township support was handled at the staff level. Staff advised that, once Council approves these annual CWC requests, College Township offers in-kind services in the form of after-event trash collection and removal.

CA-2/3: Ms. Stilson asked if Comcast's moving Channel 4 over to Channel 190 would be problematic. Staff reported that the eight-municipality Centre Area Cable Consortium (CACC) revised the Comcast cable franchise agreement, which requires certain channels, such as 4, 7, and 98, to remain on the basic tier. Mr. Brumbaugh agreed to contact the other municipal managers involved with the CACC on this matter and report back to Council.

CA-2/4: Ms. Shoemaker inquired into the details of this no-parking request for Buchenhorst Road/Penbrook Lane; and Mr. Baker, Township Engineer, reported that the request may be due to drivers parking cars during snow emergencies on a part of the road near the requestors' driveways. The parked cars force plow drivers to plow around the cars, which inadvertently causes snow coming off the plows to excessively pile up at the requestor's driveway. Council directed staff to contact the requestors for additional details and return this matter to Council for further discussion.

**Ms. Shoemaker moved to accept and approve the February 20, 2014, Consent Agenda.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

Chair Fryer moved item OB-3, Post Office Handicapped Parking, forward on the agenda for the convenience of the audience.

OB-3 Post Office Handicapped Parking – Mt. Nittany Road Lot

In written correspondence to Council, dated Feb. 13, 2014, Mr. Brumbaugh, Township Manager, reported that College Township, as owner of the Lemont Post Office property, received a resident complaint about the location of the dumpster and the out-of-compliance handicapped parking stalls at the back of the Post Office. Staff subsequently relocated the dumpster to allow for full access of the post office sidewalk. Mr. Brumbaugh requested Council's direction relative to the handicapped parking stalls along Mt. Nittany Road put in by the Post Office several years ago without Township consent.

Mr. Baker advised that the handicapped parking stall added at the Mt. Nittany Road parking lot was installed by the USPS in accordance with their internal policies in case they ever had a handicapped employee. That stall was not ADA compliant; and, staff recommended that the Township change the striping to remove that stall, thus adding back two regular parking stalls.

Council questioned why the Post Office would not be required to remove the subject parking spaces; and staff reported that difficulty in contacting the district post office was preventing the Post Office from being involved. The remediation of this problem would happen soonest if the Township performed the work.

Ms. Judith A. Larkin, 122 Mt. Nittany Road, complainant, was present to answer Council questions and advised that the Lemont Post Office receives numerous deliveries each day and that the parked trucks on the loading ramp block access to the existing handicap ramp.

Council, recognizing that this ramp in back was an extra convenience but not required, authorized staff to look at the ramp to see if it is functioning adequately. If not, staff should identify what it would take to make it more functional even with a vehicle parked there.

By Council consensus, it was agreed to remove the handicapped parking stall at the Mt. Nittany Road parking lot and look for another location in the back of the Post Office for an ADA-accessible ramp. This matter will return to Council for further review.

**OB-2 Ordinance O-14-03, Barn Brewing, LP Rezoning Request – R-1 to GC;
Adoption of**

A public hearing was held this date on Ordinance O-14-03, Barn Brewing, LP, Rezoning Request, for a change from Single-Family Residential (R-1) Zoning to Gateway Commercial (GC) Zoning on a 0.92-acre parcel, known as Tax Parcel 19-013-,051-,0000, at Pencek Lane. Such rezoning would include any portions of adjoining rights of way, as depicted in the Ordinance's Exhibit A. The approval of this rezoning request would amend the College Township Zoning Map to rezone the referenced tax parcel, as requested.

**Mr. Bernier moved to adopt Ordinance O-14-03, to amend the College Township Zoning Map to rezone College Township Tax Parcel 19-013-,051-,000 from Single-Family Residential (R-1) to Gateway Commercial (GC).
Ms. Stilson seconded the motion.
Motion carried unanimously.**

**OB-1 Ordinance O-14-01, Minor Zoning, Land Development, and Subdivision
Amendments; Adoption of**

A public hearing was held this date on Ordinance O-14-01, Minor Zoning, Land Development, and Subdivision Amendments. This ordinance would modify the College Township Code by amending regulations pertaining to land development, subdivision, and zoning through numerous minor alterations and grammatical and technical corrections. It also removes the ordinance section on solar energy systems, as that will be revised separately under its own ordinance.

Council made some ordinance inquiries before taking action.

**Ms. Stilson moved to adopt Ordinance O-14-01, Minor Zoning, Land Development, and Subdivision Amendments.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

NEW BUSINESS:

NB-1 Red Light Cameras; Discussion

In written correspondence to Council, dated February 19, 2014, Mr. Brumbaugh reported that the Pennsylvania General Assembly approved legislation in 2012 extending permission to use red light cameras beyond Philadelphia and Pittsburgh to also include municipalities with populations in excess of 20,000. This would include the State College Borough and all other Centre County municipalities. Mr. Bernier asked if Council would concur with a letter being

drafted in support of expanding the bill endorsing the legislation to change the law so that red light cameras could be used in College Township, if desired.

Mr. Herman strongly opposed this proposed action based on the cameras not being cost effective in rural areas; the personnel that would be required to review photographs; the strain that this could be place on the Centre Region; and the House of Representatives and Senate having already discussed this and drawn its conclusions to limit the authority to those areas already declared.

Ms. Shoemaker stressed that vehicles and pedestrians should be able to move safely through an intersection, adding that any signalized intersections known to be regularly experiencing red-light running should be investigated.

A portion of Council supported the idea of sending a letter, as proposed by Mr. Bernier. However, without Council's unanimous support, Mr. Bernier withdrew his request for this matter moving forward.

NB-2 Quarterly College Township Finance Report

In response to Council's prior request for quarterly financial reports, Mr. Robert T. Long, Jr., Finance Director, offered a PowerPoint presentation on the *2013 Year In Review* and general Township financial overview. Council was also presented with a December 31, 2013, Fund Balance Analysis, which compared budgeted amounts with both the projected and the actual amounts. Highpoints of the full presentation included the following.

- Total College Township assessed value equals \$577,000,000; and the Township's taxable assessed value equals \$425,000,000.
- 12/31/2013 Capital Reserve Account balance was \$462,000.
- College Township had a very high 2013 property tax collection rate of 98.87%.
- 2013 Revenues:
 - a. Property Transfer - \$306,000 (decrease of \$26,000 over 2012);
 - b. Earned Income - \$1,332,000 (increase of \$35,000 over 2012);
 - c. Local Services Tax - \$649,000 (increase of \$10,000 over 2012);
 - d. Fines-Ordinance - \$86,000 (decrease of \$38,000 over 2012);
 - e. Zoning Permits - \$54,000 (decrease of \$34,000 over 2012);
 - f. Prior Year Refunds - \$23,000 (decrease of \$43,000 over 2012);
 - g. County Liquid Fuels Grant - \$25,000 (Used for paving);
 - h. DEP Recycling Grant - \$34,000 (Reimbursement for wood chipper); and
 - i. PSU Impact Fee - \$192,000 (Total of \$3.9 million collected since 1997).
- 2013 Expenditures – Highlights:
 - a. Gross Payroll - \$1,458,000 (increase of \$72,000 over 2012);
 - b. Employee Benefits - \$662,000 (increase of \$117,000 over 2012);
 - c. COG Shares - \$1,087,000 (increase of \$72,000 over 2012);
 - d. Police Services - \$1,327,000 (increase of \$69,000 over 2012);
 - e. Debt Service - \$470,000 (increase of \$101,000 over 2012);

- f. State College Borough Contribution - \$100,000 (The Retreat agreement);
- g. COG Contribution to Oak Hall Regional Park - \$45,000; and
- h. Return of Fee-In-Lieu of Parkland (Villas at Happy Valley) - \$564,000.
- Road Salt Used/Cost:
 - a. Winter 2012/2013 – 1,575 tons/\$68.39 per ton; and
 - b. Winter 2013/2014 – 1,820 tons/\$63.31 per ton.
- Anti-Skid Used/Cost:
 - a. Winter 2012/2013 – 650 tons/\$11.25 per ton; and
 - b. Winter 2013/2014 – 975 tons/\$11.39 per ton.
- 2013 Investment in Equipment/Infrastructure:
 - a. Office Building Windows - \$46,000
 - b. Replace Boiler - \$12,500
 - c. Purchase of 2013 Ford F-150 - \$28,000
 - d. Upgrade Phone System - \$17,000
 - e. Road Resurfacing - \$212,000 (Hospital/Villa Crest/Everhart Village)
 - f. Traffic Signal - \$28,000 (College Ave./Houserville Rd./Pike St.

Council asked for and received clarification relative to Penn State University's impact fee and the upcoming temporary closure of the Bryce Jordan Center.

Mr. Herman asked staff to identify which areas of the Township's budget that Council has the greatest ability to affect some control over increased costs. Mr. Brumbaugh advised that Council has direct, annual impact over the level of funding for COG shares, police services, and the number of employees on payroll.

Council thanked Mr. Long for the informative presentation, which will now be a quarterly Council meeting agenda item.

STAFF AND ABC INFORMATIVES:

None.

COUNCIL/STAFF OTHER MATTERS:

1. Mr. Brumbaugh requested Council support for College Township's membership in the Public Employer Labor Relations Advisory Service (PELRAS) and staff attendance at the annual PELRAS Annual Training Conference.

Mr. Herman moved to take an annual PELRAS membership (\$450) and conference registration costs for the Township Manager and Management Analyst (\$370) utilizing funds from line item 480.470, Miscellaneous Expense.

Mr. Bernier seconded the motion.

Motion carried unanimously.

COUNCIL/STAFF OTHER MATTERS (Cont'd):

2. Ms. Stilson requested that Council consider revisiting the matter of allowing backyard hens in residential areas and offered a motion to that effect.

Ms. Stilson moved to place on a future Council agenda the review of the backyard hens in residential areas ordinance.

Ms. Shoemaker seconded the motion.

Motion carried 4 – 1 (Herman voting nay).

Staff will provide to Council for future discussion the last year's version of the ordinance, O-13-03, Keeping of Chicken Hens in Residential Areas, which failed to win Council support on July 18, 2013.

COMMITTEE REPORTS:

Finance Committee, February 13, 2014: Ms. Shoemaker reported that the Finance Committee 1) offered comments on the 2014/2015 CATA budget, which reflected a 3% increase in its operating budget; 2) received a brief background report on the Contingency and Capital subcategories of the COG fund balance as part of the Committee's objective of drafting a fund balance policy for the COG agencies; and 3) received a preliminary report on the financial software packages. Council directed staff to place this on the March 6th agenda for a discussion of budgetary targets.

Centre County Metropolitan Planning Organization (CCMPO) Coordinating Committee, January 28, 2014: Attending on behalf of Ms. Shoemaker, Mr. Bernier reported that the CCMPO took action to accept Spring Township's withdrawal as a CCMPO funding partner, which required a change to the CCMPO Bylaws to revise membership structure. Spring Township will now be a non-voting member as part of the Nittany Valley Planning Region. The Committee also 1) reviewed adjustments to the CY 2014 MPO Budget; 2) received an overview from the chair on a proposed process to establish CCMPO structure and local funding shares; and 3) received a report from PennDOT on the Route 322 Potters Mills Gap Project and directed staff to advertise related amendments to the Long-Range Transportation Plan and TIP.

Transportation and Land Use (T/LU) Committee, February 3, 2014: Mr. Bernier reported that the T/LU Committee 1) reviewed the CATA Service Planning Process for FY 2014-2015 and forwarded the same to the municipalities for their comment; and 2) received a summary of the State College Borough Redevelopment Authority's Community Forum, entitled *The State College Innovation Ecosystem*, held on September 12, 2013.

Public Safety Committee, February 12, 2014: Chair Fryer reported that the Public Safety Committee 1) offered comments on the Mutual aid Agreement with the Central Keystone COG; 2) commented on three proposals on the reorganization of the Centre Region Building and Housing Code Board of Appeals; and 3) received a status report from the Fire Director.

Executive Committee, February 18, 2014: Chair Fryer reported that the Executive Committee met and determined there were insufficient agenda items to warrant holding the February 24, 2014, General Forum Meeting. That meeting was, therefore, cancelled. The Committee then met in executive session to discuss a legal matter.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the February 20, 2014, College Township Council Regular Meeting at 8:57 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary