

**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES**

Thursday, May 5, 2016

7:00 PM

1481 E. College Avenue, State College, Pennsylvania

ATTENDED BY:

COUNCIL:

Lynn B. Herman, Chair
Carla Stilson
L. Eric Bernier
Steven J. Lyncha

STAFF:

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

ABSENT:

D. Richard Francke, Vice-Chair

CALL TO ORDER:

Chair Herman called to order the May 5, 2016, Regular College Township Council Meeting at 7:00 PM, followed by the Pledge of Allegiance.

OPEN DISCUSSION:

1. Ms. Sue Smith, Lemont Village Association (LVA), invited Council to the LVA's annual plant sale on May 7, which benefits the Granary restoration project.

Chair Herman brought forward agenda items NB-1 and NB-2 for the convenience of the presenters.

NEW BUSINESS:

NB-1 Ordinance O-16-06, 2016 Borrowing Ordinance; Approval of

Mr. Adam Brumbaugh, Township Manager, introduced proposed Ordinance O-16-06, Borrowing Ordinance, which would authorize and direct issuance of a General Obligation Note. This note would provide \$2,000,000 for various capital projects expected to be completed by April 2018 and also provides for payment of issuance costs in the amount of \$36,750.

Mr. Chris Gibbons, Principal, Concord Public Financial Advisors, presented details to Council on this General Obligation Note of College Township, in the principal amount of \$2,037,150, pursuant to the provisions of the Local Government Unit Debt Act of the Commonwealth of Pennsylvania; determining that the note will be sold by private sale by invitation; determining that such debt will be non-electoral debt of the Township; determining that the debt will be used to provide funds to pay the costs of certain capital projects of the Township and for payment of the costs of issuance of the note evidencing the debt; accepting a bid for purchase of the note, awarding the note, and setting forth related provisions of the purchase proposal; providing that the note, when issued, will be a General Obligation Note of the Township; fixing the substantial form, maturity date, interest rate, interest payment dates, place of payment of principal and interest, redemption provisions and tax free provisions of the note; authorizing execution, attestation and authentication of the note; providing covenants related to debt service applicable to the note as required by the Act, pledging the full faith, credit and taxing power of the Township in support thereof; creating a sinking fund in connection with the note; providing a covenant to insure prompt and full payment of all obligations of the note when due; authorizing and directing specified officers of the Township to do and perform certain specified, required or appropriate acts and things; declaring that the debt to be incurred is within the limitation imposed by the Act upon the incurring of such debt by the Township; setting forth certain covenants precluding the Township from taking action that would affect the tax-exempt status of the note; designating the status of the note under Section 265(B) of the Internal Revenue Code of 1986, as amended; providing when this ordinance will become effective; and repealing all ordinances or parts of ordinances insofar as the same are inconsistent herewith.

Mr. Lyncha moved to adopt Ordinance O-16-06, Borrowing Ordinance, authorizing and directing the issuance of General Obligation Note, as presented.

Mr. Bernier seconded the motion.

Motion carried unanimously.

NB-2 Regional Growth Boundary Expansion Request

In correspondence to College Township, dated March 10, 2016, Mr. Phil Hawk and Ms. Candace Smith, property owners of 126 Evey Lane, Lemont, Pennsylvania, formally requested sewer service and a sole use expansion of the UAJA Sewer Boundary to include their property. Tax Parcel 19-023-008-0000 is a consolidation of Lots 111 and 112 of the Nittany Orchards Land Development Plan, Phase 9, consisting of 4.79 acres in the Forest Zoning District. This request is being presented based on environmental reasons and on the close proximity to the existing service line.

In response to the above request, Mr. Mark Holdren, CRPA Sr. Planner, clarified that the subject parcel lies just outside the Regional Growth Boundary and Sewer Service Area (RGB/SSA). The properties along Baldwin and Apple, to the northwest and south of the Hawk property, are located within the RGB and SSA, and are zoned R-1, Single-family Residential. The current use of the Hawk property is single-family residential with a number of accessory buildings. Mr. Holdren requested that Council decide whether or not expanding the RGB/SSA has merit; and, if so, decide if this request should be reviewed and approved by the entire Centre

Region General Forum or if College Township is willing to make this a local review process, utilizing some of its allotted 50 EDUs.

Council held a brief discussion on 1) the boundaries of the RGB being drawn along zoning boundaries; 2) impacts to the EDUs should the then-UAJA-connected property be rezoned in the future; and 3) the adjacent properties not being particularly easy to hook up before taking the following action.

Mr. Lyncha moved to approve the start of the DRI process for 126 Evey Lane, Lemont, owned by Mr. Phil Hawk and Ms. Candace Smith, using two (2) of the current 50 EDUs available.

Ms. Stilson seconded the motion.

Motion carried unanimously.

PLANS:

P-1 Stearns Crossing Subdivision Phase 8; Request for Time Extension

In correspondence to College Township, dated April 18, 2016, Mr. Chad D. Stafford, P.E., Penn Terra Engineering, requested a sixty-day extension to allow the developer, Stearns-Boal, L.P., to meet approval requirements and for recording of the Stearns Crossing Subdivision Phase 8 Final Land Development Plan.

Mr. Kent Baker, Township Engineer, advised Council that this request follows a previously approved, ninety-day time extension previously granted by Council, but clarified that the developer is hoping to complete more of the road and infrastructure work in order to reduce the amount of surety that would be required.

Ms. Stilson moved to grant a sixty-day time extension for the Stearns Crossing Phase 8 Final Land Development Plan to July 3, 2016.

Mr. Lyncha seconded the motion.

Motion carried unanimously.

P-2 AutoZone Preliminary/Final Land Development Plan for Proposed Store #6741; Tax Parcel 19-04A-051-0000

Mr. Jeff Berneburg, MDM, LLC, representing AutoZone, reported that the subject project consists of the site redevelopment at 2605 East College Avenue, Tax Parcel 19-04A-051-0000, for a retail auto parts store in the C-1 General Commercial Zoning District on the 1.145-acre site previously occupied by Long John Silvers/A&W Restaurant. This site also lies within the Corridor Overlay District.

In correspondence to Mr. Berneburg, dated April 27, 2016, Mr. Mark Holdren, Sr. Planner, recommended approval of this plan conditioned upon satisfactory responses to 1) concerns about the sidewalk in the parking island having an ADA ramp where it meets the crosswalk; 2) an agreement being executed between the two property owners along the western boundary regarding light trespass levels; and 3) revise the Lighting Compliance Checklist so the values for light trespass, uniformity ratio and minimum average illuminance are the actual calculated values.

Council requested clarification on stormwater and vehicle access.

Mr. Anthony Fragola, Planning Commission-Council Liaison, reported that Planning Commission (PC) had concerns about the service road and noted that the new striping and stop signs are an improvement.

Mr. Bernier moved to approve the AutoZone Store #6741 Preliminary/Final Land Development Plan, dated October 30, 2015, and last revised April 14, 2016, subject to the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Add a General Note on Sheet C1.0 stating “All onsite sidewalks and ramps shall comply with Building Code requirements.”;**
- 4. Add a note on Sheet PH 1.0 stating that the property owner authorizes the minor light trespass from Lot 2 onto Lot 1; and**
- 5. Revise the Lighting Compliance Checklist, as described by Mr. Mark Holdren’s third comment in his April 27, 2016, review memorandum.**

**Mr. Lyncha seconded the motion.
Motion carried unanimously.**

P-3 Night Starr PA LLC d/b/a Autobox Car Wash Preliminary/Final Land Development Plan; Tax Parcel 19-008-114-0000

Mr. Danny Wolfe, CTL Engineering, presented the Night Starr PA LLC, d/b/a Autobox Car Wash Preliminary/Final Land Development Plan at the corner of E. College Avenue and Pike Street, Tax Parcel 19-008-114-0000. The proposed development plan reflects the construction of a conveyor-type, automatic car wash on the location of a previous Sheetz Convenience Store and Gas Station. The car wash would also have free vacuum stations. The building will utilize a Green Roof System, which will reduce the site’s impervious coverage.

Mr. Jason Day, owner, stated that he owned similar facilities in Morgantown, West Virginia.

Council commented on or inquired about signage and this operation considering the use of beneficial reuse water before taking the following action.

Ms. Stilson moved to approve the Night Starr PA LLC d/b/a Autobox Car Wash Preliminary/Final Land Development Plan, dated March 21, 2015, and last revised April 25, 2016, subject to the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Address the two technical stormwater comments in the April 28, 2016, review letter from Mr. Don Franson; and**
- 4. Address the two technical comments in the April 27, 2016, review memorandum from Mr. Mark Holdren.**

Mr. Lyncha seconded the motion.

Motion carried unanimously.

**P-4 McDonald's USA, LLC Store 37-0310 Preliminary/Final Subdivision Plan;
Tax Parcel 19-02B-089-0000**

Mr. Kenneth Farrall, P.E., CMC Engineering, presented a two-lot subdivision of the McDonald's Restaurant at the Nittany Mall. As this was strictly a two-lot subdivision of the parcel, and no improvements were being initiated on the McDonalds site, the developer requested a waiver from the College Township Subdivision and Land Development Code, Section 180-16.1.A, requiring sidewalks along the Nittany Mall property.

Mr. Bernier moved to approve the McDonald's USA, LLC – Store L/C 37-0310 Preliminary/Final Land Development Plan, dated March 17, 2016, and last revised April 18, 2016, (store being located at the Nittany Mall), subject to the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Since there is no new development with this proposed subdivision, Council agrees to the sidewalk waiver request.**

Mr. Lyncha seconded the motion.

Motion carried unanimously.

**P-5 Stewart Commercial Center Preliminary/Final Land Development Plan;
Tax Parcel 19-02B-015-0000**

Mr. Mark Torretti, P.E., Penn Terra Engineering, presented the Stewart Commercial Center Preliminary/Final Land Development Plan, which reflects the construction of an 18,000-square-foot, retail/office site on a 1.88-acre parcel on the Benner Pike, Tax Parcel 19-02B-015-0000.

In correspondence to Council, dated May 2, 2016, Mr. Kent Baker, Township Engineer, reported that 1) the plan included a new access connecting to the Benner Pike; 2) the existing access on Ellis Place is being moved farther from the intersection; 3) stormwater would be managed by two basins located at the property via an access easement agreement; and, 4) the

adjacent Christ Community Church property owners have expressed no issues with this project or with the easement agreement.

Council inquired into, and received satisfactory staff response about, any Township concerns regarding development of sink holes at infiltration basin #1 and was advised by Mr. Bernier, Council member, that the bus stop would be relocated to the pad.

Ms. Stilson moved to approve the Stewart Commercial Center Preliminary/Final Land Development Plan, dated March 21, 2016, and last revised April 8, 2016, subject to the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Provide a copy of the proposed access easement between CCCSC and the Stewarts; and**
- 4. Show the location of the bus pad that was referenced on April 25, 2016, from Mr. Greg Kausch.**

Mr. Bernier seconded the motion.

Motion carried unanimously.

**P-6 Christ Community Church Phase 3 Preliminary/Final Land Development Plan;
Tax Parcel 19-02B-004-0000**

Mr. Rob Kresslar, P.E., Penn Terra Engineering, introduced Mr. Guy Holland, reporting both as members of the Christ Community Church, prior to presenting the Christ Community Church Phase 3 Preliminary/Final Land Development Plan. This project, Tax Parcel 19-02B-004-0000, involves the expansion of the Church Sanctuary; a 4,000-square-foot Church Classroom expansion; the construction of a 26,000-square-foot Athletic Use building; installation of twenty-one (21) additional parking stalls; and installation of related infrastructure on the 15-acre site. At Council's inquiry, Mr. Kresslar confirmed that Phase 3 of this project would not impact future College Township Official Map roadways currently reflected on the Map.

Mr. Bernier moved to approve the Christ Community Church Phase 3 Preliminary/Final Land Development Plan, dated March 21, 2016, last revised April 20, 2016, subject to the following conditions:

- 1. Obtain all required signatures on the plan; and**
- 2. Pay all outstanding plan review fees.**

Mr. Lyncha seconded the motion.

Motion carried unanimously.

REPORTS:

a. MANAGER'S UPDATE:

Mr. Brumbaugh presented the May 5, 2016, Manager's Update, highlighting 1) the final resolution of the lawsuit with Nittany Outdoor Advertising, with the final motion from the plaintiff being rejected by the court; and 2) the delay of the E. Branch Road bridge replacement project until 2017.

Council accepted the Manager's Update, as presented.

b. COMMITTEE REPORTS:

Human Resources Committee, May 4, 2016: Chair Herman reported that Mr. Brumbaugh attended the Human Resources Committee meeting on his behalf. The Committee 1) reviewed the 2017 COG Program Plan; 2) discussed various personnel changes in the Schlow Centre Region Library, Centre Region Parks and Recreation (CRPR) Senior Center and the Centre Regional Planning Agency; and 3) agreed to recommend that CRCOG department heads include these items in the upcoming Program Plan. The Committee also discussed the COG priorities; evaluated currently vacant positions; and noted that the application period for the upcoming CRPRA Director vacancy has now closed.

Public Safety Committee: Mr. Lyncha advised that he would be unable to attend the May 10th Public Safety Meeting, and staff agreed to identify an alternate representative to attend.

Transportation and Land Use (TLU) Committee, May 2, 2016: Mr. Bernier reported that TLU 1) received the Centre Region Bicycle Advisory Committee (BAC) Activity Report, providing comments; 2) received a staff presentation on electric bikes, aka e-bikes, discussing issues related to the operation of e-bikes on shared-use paths, and providing direction on the preparation of a policy for the operation of electric bikes; 3) held a discussion on the number of projects on the Committee's priorities list and costs to fund them. Mr. Bernier added that the TLU would be part of a panel discussion at the State College Borough on area projects containing bicycle amenities.

Public Services and Environmental Committee (PSEC), May 5, 2016: Ms. Stilson reported that PSEC 1) discussed the costs to connect to the Keystone Initiative for Network-Based Education and Research (KINBER) System and the details regarding conducting a fiber optic infrastructure study; 2) received a CRPA update on the Nutrient Management Program for the Centre Region and discussed initial draft options developed by the CRPA and the UAJA, as well as considered how the UAJA might assess the costs for this program.

Residents Meeting on Verizon Wireless Communications Facility (WCF), May 1, 2016: Ms. Stilson reported that she attended a residents' meeting on the proposed plan for a WCF to be installed as part of an existing power pole on Cortland Drive. Ms. Stilson stated that residents voiced concern over how the ordinance is being interpreted; how placing a cell tower in a residential neighborhood will set a precedent; how future antenna additions on the same poles

would be regulated and prevented; stealth technology; property distance; noise; health and safety; and the planned site in an R-1 Zoning District being a primary commercial use.

c. STAFF/PLANNING COMMISSION REPORTS:

Planning Commission (PC) Meeting, May 3, 2016: Mr. Anthony Fragola, Planning Commission-Council Liaison, reported that PC 1) reviewed the Verizon WCF proposal before a large audience of concerned residents; 2) received public comments and presentations opposing the Verizon plan; 3) discussed what constituted an “in kind” replacement; and 4) deliberated on the township solicitor’s opinion letter regarding a monopole being considered an in-kind structure. The Commission moved to agree with the opinion of the township solicitor and the zoning officer relative to a monopole being an in-kind structure. The motion passed 4 – 3. The Planning Commission recommended conditions to be included on the plan; however, this motion failed 3 to 4. No motion to recommend for approval or denial of the Verizon WCF was subsequently offered.

Gordon D. Kissinger Meadow Planting Project, May 5, 2016: Mr. Baker, Township Engineer, reported that College Township Parks and Recreation Committee members and numerous others from UAJA and College Township staffs participated in the Riparian Tree Planting Project at the Gordon D. Kissinger Meadow.

CONSENT AGENDA:

- CA-1** Minutes: No meeting minutes were offered for approval.
- CA-2** Correspondence: /1: Email from CCMPO, dtd April 27, 2016, regarding CCMPO 2017 – 2020 TIP Public Comment Period, Apr. 27 Through May 11, 2016
- /2: Ltr from Special Olympics Pennsylvania, dtd Apr. 12, 2016, Notifying of June 2nd Partial Traffic Impairment for Law Enforcement Torch Run Requesting College Township to approve this event and to fully indemnify, save harmless and, if requested, defend the Commonwealth, its Departments and their officers, agents, and employees from and against claims, suits or actions for injury, death, or property damage arising from or because of the acts or omissions of the sponsor, its officers, agents, or employees; Approval of
- /3: Ltr from PennDOT, dtd Apr. 15, 2016, subj: Traffic Counting on Municipally Owned Roads.

Mr. Lyncha moved to approve the May 5, 2016, Consent Agenda, as presented.
Mr. Bernier seconded the motion.
Motion carried unanimously.

OLD BUSINESS:

No *Old Business* was presented.

NEW BUSINESS: (Cont'd.)

NB-3 First Quarter 2016 Finance Report

Mr. Robert T. Long, Jr., Finance Director, presented the First Quarter 2016 Finance Report, as of March 31, 2016, with the following highlights.

○ Total Revenues:	\$ 1,297,000
○ Total Expenditures:	-\$ 1,522,000
○ Resulting Deficit:	\$ 225,000
○ Begin Fund Balance:	\$ 4,030,000
○ End Fund Balance:	\$ 3,805,000
○ Restricted Fund Balance:	\$ 453,000
○ 2016 Property Tax Revenue Collections:	
▪ Billed:	\$ 2,375,985
▪ Collected through 4/30/2016:	\$ 2,036,916 (85.73%)
○ 2015 Police Hours Reconciliation	\$ 73,000.

Council received the First Quarter 2016 Finance Report, as presented.

STAFF AND ABC INFORMATIVES:

No *Staff Informatives* were pulled for discussion.

OTHER MATTERS:

Council discussed the upcoming Council vacancy and determined that a special meeting should be arranged for the purpose of conducting interviews of any candidates. Staff was directed to send out an online Doodle poll to determine the date and time for candidate interviews.

ADJOURNMENT:

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

**Ms. Stilson moved to adjourn the May 5, 2016,
Regular College Township Council Meeting.
Mr. Bernier seconded the motion.
Motion carried unanimously.**

Chair Herman adjourned the May 5, 2016, Council Regular Meeting at 9:01 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary