

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, June 19, 2014**

ATTENDED BY:

COUNCIL: Eric Bernier, Chair
Lynn B. Herman
Carla Stilson
D. Richard Francke

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

ABSENT: Mary C. Shoemaker, Vice-Chair

CALL TO ORDER

Chair Bernier called to order the June 19, 2014, College Township Regular Council Meeting at 7:00 PM and announced the reordering of the agenda, moving NB-4 and NB-6 forward on the agenda for the convenience of those in attendance.

OPEN DISCUSSION:

Ms. Judy Sittler, Spring Creek Chapter of Trout Unlimited (SCCTU) board member and Chair of the Spring Creek Watershed Association, 1) introduced Mr. Lynn Mitchell, Chair of the SCCTU; 2) offered a brief update on the winner of the streamside backyard makeover, Ms. Bonnie Lepro, of College Township; 3) advised that three mailings had been sent, the latest forwarding the *Homeowners Guide to Stormwater*; 4) mentioned two educational, community events, one held in Boalsburg and the second at the Stanley and Darlene Smith property in Oak Hall; and 5) encouraged Council to revisit the failed Riparian Buffer ordinance.

SPECIAL PRESENTATION:

SP-1 C-NET Update

Ms. Pamela Richards-Visnovsky, College Township representative on the C-NET Board, offered C-NET highlights for 2013, including 1) marking C-NET's 25th year of broadcasting; 2) airing of 499 intern- and staff-produced programs, along with 56 other programs produced by other entities; and 3) the acquisition of the TriCaster live streaming system, allowing the new C-NET website, www.cnet1.org, to provide C-NET broadcasts for online viewing. It is anticipated that high-definition broadcasting will begin in 2014.

Ms. Cynthia Hahn, C-NET Executive Director, presented the *2013 C-NET Annual Report* and distributed a handout on College Township-sponsored, C-NET programming in 2013. College Township supported 42 sponsored programs, including two (2) Spring Creek Watershed Commission meetings, and 53 bulletin board messages, the latter equaling 5.3 "programs". Combined, College Township sponsored 47.3 programs, which equated to 8.4% of the total sponsorship by all C-NET members in 2013. From 2009 through 2013, College Township's sponsorship equaled 8.5% of the total C-NET usage by all members during that time. Recorded meetings are now viewable online; and Ms. Hahn offered an online-access chart reflecting a total of 823 hits on broadcasted College Township Council and Planning Commission meetings in 2013 but stressed that the bulk of viewing was still on television.

PLANS:

P-1 Fieldstone Phase III /Subdivision; Tax Parcel 19-006-06A-0000

a. Revised Preliminary Subdivision Plan; Approval of

Mr. Kent N. Baker, Township Engineer, reported in correspondence to Council, dated June 13, 2014, that the Fieldstone Subdivision Plan on Brandywine Drive by the Mt. Nittany Middle School had been revised in order to reflect the lots that were previously designated for patio homes with a zero setback on one side. All lots will now have standard single-family setbacks, resulting in a net reduction of three lots due to the setback change plus a previous consolidation of two lots. Mr. Baker also noted that the developer, S&A Homes, offered written confirmation of their intent to re-establish the trail on the common open space lot #93 and the post marking of the access easement between lots 36 and 37.

Mr. John Sepp, P.E., Penn Terra Engineering, presented the Fieldstone Revised Preliminary Plan Phases 3 and 4 and requested Council's approval of the same.

Ms. Stilson moved to approve the Fieldstone Single-Family Residential Subdivision Phases 3 and 4 Revised Preliminary Subdivision Plan, dated May 12, 2014, last revised May 23, 2014, with the following conditions:

- 1. Obtain all required signatures on the plan;**
 - 2. Pay all outstanding review fees; and**
 - 3. Correct the misspelling of Mansfield Street in Note 17.**
- Mr. Francke seconded the motion.**
Motion carried unanimously.

b. Fieldstone Subdivision Single-Family Residential Subdivision Plan for Phase 3 Final Plan; Approval of

Mr. Baker, Township Engineer, advised Council that whenever a subdivision plan includes multiple phases, the plan must be approved in two stages; first as a preliminary plan and then as a final plan for each phase. The developer submitted the Fieldstone Subdivision Single-Family Residential Subdivision Plan for Phases 3 and 4 and also a final plan for Phase 3. Following Council's approval of the preliminary plan, this final plan stood ready for Council action.

Ms. Stilson moved to approve the Fieldstone Single-Family Residential Subdivision Phase 3 Final Plan, dated May 12, 2014, last revised June 3, 2014, with the following conditions:

- 1. Obtain all required signatures on the plans;**
- 2. Pay all outstanding plan review fees; and**
- 3. Meet the conditions of the Phases 3 and 4 Revised Preliminary Plan and obtain Council signatures on that plan.**

Mr. Francke seconded the motion.
Motion carried unanimously.

Chair Bernier brought forward Agenda Item NB-6, Bond Refunding, for the convenience of the presenter.

NEW BUSINESS:

NB-6 Bond Refunding

Following an introduction by Mr. Robert T. Long, Jr., Finance Director, Mr. Christopher M. Gibbons, Principal, Concord Public Finance, Lancaster, Pennsylvania, presented an overview of College Township's current outstanding General Obligation Bonds, Series of 2010, and updated Council on current financial market conditions and the possibility of saving three to five percent (3% - 5%) on refunded principle by completing an advance refunding of bonds maturing on and after November 15, 2016. To allow for the consideration of a bond refinancing, Mr. Gibbons offered a proposal to College Township Council for work to evaluate and complete the refinancing of the General Obligation Bonds, Series of 2010. Concord Public Finance proposed to consult with the Administration on market conditions; monitor the interest rate markets with a view toward making recommendations regarding the timing of any financing; prepare a bank proposal term sheet, solicit banks, and evaluate the proposals

received; prepare disclosure and offering materials; prepare the necessary information of rating agencies and bond insurance companies; manage the competitive sale of the Township's Bonds, if applicable; evaluate bids; and coordinate closing.

Based on an anticipated three percent (3%) net present value savings of refunded principle, Mr. Brumbaugh clarified that this equates to about \$150,000, or 3/10^{ths} of a mil.

The fee for the referenced services was proposed to be \$22,500 for the General Obligation Bonds or Notes, Series of 2014; \$3,500 for the production and printing of the Preliminary and Final Official Statements, plus any out-of-pocket expenses at the time of the debt transaction.

In a memo to Council, dated June 13, 2014, Mr. Robert Long, Jr. requested Council's authorization of a refinancing of existing debt, as well as authorization for staff to subsequently work with Concord Public Finance and other professionals, as necessary, to take the required actions to complete an advance refunding.

Ms. Stilson moved to direct staff, contingent on at least a three percent (3%) net present value savings of refunded principle, as described in staff memorandum.

Mr. Herman seconded the motion.

In response to Mr. Brumbaugh's inquiry, Mr. Gibbons advised that the current rate on the existing bonds is approximately 3.9%.

Motion carried unanimously.

Mr. Francke moved to authorize staff to work with Concord Public Finance and other professionals, as necessary, to take the necessary actions to complete an advance refunding.

Mr. Herman seconded the motion.

Motion carried unanimously.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the June 19, 2014, Manager's Update, and offered an update on Manager's Update Item 12-05, Nittany Outdoor Advertising law suit. Council should consider how to respond to the plaintiff's second settlement offer.

CONSENT AGENDA:

CA-1 Minutes: May 15, 2014, Regular Council Meeting

CA-2 Correspondence: /1: Letter from PennDOT, dtd May 5, 2014, regarding Reimbursement of winter services costs

/2: Thank you letter from Lemont Village Assoc., dtd May 29, 2014, for road crew contribution

CA-3 Agreement: Local Services Tax Collection; Approval of
CA-4 Ordinances: a. O-14-09, Signs Ordinance Amendment; Adoption of
b. O-14-10, Code Articles of Agreement; Adoption of

Council pulled Consent Agenda item CA-4.a. for discussion.

Mr. Francke moved to approve the June 19, 2014, Consent Agenda, minus item CA-4.a.

Ms. Stilson seconded the motion.

Motion carried unanimously.

CA-4.a.: Mr. Baker advised that the township solicitor was asked to offer an opinion on the Planning Commission's recommendation to remove the fifth clause in this proposed ordinance. That clause stated that, at the request of the Zoning Officer, a copy of the stress sheets and calculations be prepared or approved by a registered structural engineer showing that a sign is designed for dead load and wind pressure. The township solicitor reviewed the clause and determined that its removal was of a de minimis nature, requiring no additional action prior to Council's consideration.

Hearing no responses from the public for comments on this ordinance, Chair Bernier asked Council for a motion.

Ms. Stilson moved to adopt Ordinance O-14-09, Signs Ordinance Amendment, as amended, and to receive Consent Agenda CA-4.a.

Mr. Herman seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Limerock Terrace Street Light

On April 17, 2014, Council approved the removal of an existing utility pole and street light on Limerock Terrace, assuming the cost for such removal would be between \$1,200 and \$1,500. Mr. Baker, Township Engineer, reported that, following contact with the owners of the pole (Verizon and West Penn Power), more extensive work involving the raising/tightening of the power line on the next pole increased the cost estimate. Verizon now estimates their cost to be \$2,880, which would include the removal of the pole. No estimate has been received from West Penn Power for their portion of the work; but, Mr. Baker estimates that cost to be around \$1,000.

Because the cost estimate is more than double the figure previously provided to Council, Mr. Baker requested Council's direction on how to proceed and recommended that a final decision not be made until a revised cost from West Penn Power has been procured.

Council agreed to wait for revised costs from West Penn Power before taking any action on this matter.

OB-2 Hilltop Area Rezoning; Densities Review

Mr. Brumbaugh, Township Manager, stated that, in response to Council's direction to staff for additional research on possible Hilltop area estimated development densities, Mr. Holdren, CRPA Sr. Planner, generated a density chart for Council's review. Recognizing the heavy meeting agenda this date, Mr. Brumbaugh recommended that any in-depth discussion on this topic be conducted at a Special Meeting to be scheduled by Council to discuss Hilltop area zoning issues.

Following Mr. Holdren's overview on this rezoning request, Council discussed the densities information and considered setting a June 26 date for a Special Meeting to include Council, Planning Commission, and staff, for the purpose of pursuing in-depth discussion with interested citizens on the Hilltop area rezoning matter.

Ms. Stilson moved to schedule a June 26, 2014, special meeting for the purpose of pursuing in-depth discussion with interested citizens on Hilltop-related topics, such as Gateway Commercial densities; site limitations of neighborhood residential development; legal limitations of zoning districts; traffic issues; and comparative density with the existing MHP District.

Mr. Francke seconded the motion.

Motion carried unanimously.

Chair Bernier brought forward Agenda Item NB-4, Oak Ridge Ave./Shamrock Ave. Traffic Study, for the convenience of those in attendance.

NEW BUSINESS (Cont'd.):

NB-4 Oak Ridge Avenue/Shamrock Avenue Traffic Safety; Staff Options

Mr. Baker, Township Engineer, reported that, in response to Council's June 5, 2014, direction for information relative to traffic safety options in the Centre Hills Village area, staff generated and presented a list of options for both immediate and ongoing traffic-calming relief. Options included 1) placing speed message display boards on Oak Ridge Avenue, and occasionally on Shamrock Avenue; 2) increasing police speed enforcement on these streets; and 3) centerline striping and walking-lane edge lines. Mr. Baker added that, as part of PennDOT's bridge

replacement project near the intersection of Country Club Road and East Branch Road, College Township requested that PennDOT realign that intersection. PennDOT agreed to incorporate this into their project design. Mr. Baker added that this matter will be raised later this month at a meeting of PennDOT, College Township, State College Borough, and Centre Hills Country Club representatives; and the Borough of State College will be encouraged to make roadway improvements on their section of Country Club Road.

Council received an excerpt from the *College Township Traffic Calming Study & Approval Process* guidelines, which defines the criteria for specific neighborhood traffic matters that could be forwarded to the Township's Local Traffic Advisory Committee (LTAC) for review. Council's remand of a neighborhood traffic matter first requires a petition from a neighborhood requesting a traffic-calming evaluation and Council's review and consent to remand.

Following a brief discussion, it was the consensus of Council to place this matter on the June 26 Special Meeting agenda for a detailed discussion.

OB-3 Collection Boxes; Discussion

Mr. Michael Heath, College Township Zoning Officer, reported that in December, 2013, Township staff noted a number of clothing collection bins being placed on commercial sites in College Township, which were in violation of Township Code §180-4.F, Establishment of Controls. Four property owners of parcels with collection bins received letters in January, 2014, from College Township advising that a zoning permit application must be submitted for the bins or the bins must be removed from the site. The owners of the bins are responsible for procuring the required (\$25) zoning permit, which requires written approval from the property owner/landlord for the bins to be placed on the site. The four involved properties collectively had eight collection bins on their sites. One company submitted for and received a zoning permit and another is anticipating securing a permit shortly; one bin has a municipal exemption; and the remaining, unregulated bins have been removed from their sites.

This was an informative matter and required no Council action.

Chair Bernier called for a five-minute recess at 9:08 PM and reconvened the meeting at 9:13 PM.

NEW BUSINESS (Cont'd.):

NB-1 Police Data; Student Housing

Mr. John J. Franek, Jr., College Township Management Analyst, presented a year's worth of police call data on the two new student housing project in College Township; namely, The Retreat at State College on Waupelani Road and The Villas at Happy Valley on Dreibelbis Street. Mr. Franek noted that 1) most calls for police assistance have come from within the

student developments, as opposed to coming from adjoining landowners; 2) many calls for police assistance are noise- or automobile-related; 3) the majority of calls have come from The Retreat, while The Villas has been fairly quiet; 4) the majority of calls at The Retreat have occurred between 3 PM to 7 PM and 11 PM to 3 AM; and 5) the calls at The Villas have been requests for emergency services, such as ambulance, grease fire assistance, locate a child-student, etc. Mr. Franek stated that further analysis and reporting would be provided as the dataset grows and would include a comparison of police calls generated by the student housing versus from the balance of the Township.

Mr. Franek noted that the police calls registered in 2013 equate to less than two calls per week.

In response to Ms. Stilson's question on whether or not student housing management offices enjoyed any incentives for lower numbers of police calls being too high, Mr. Heath advised that penalties are available through the Township Ordinance allowing for the revocation of an individual rental unit's occupancy permit should the number of police responses reach an established limit for specified categories of infractions.

Council expressed their satisfaction with the numbers reflected in this first annual report and requested that this be, at the least, an annual staff report to Council.

NB-2 General Fund, Capital Reserve Fund, and CIP Staff Presentation

Mr. John J. Franek, Jr., College Township Management Analyst, facilitated a presentation on 1) the Township budget timeline; 2) Township funds; 3) the Capital Improvement Program (CIP), one of the Township's tools, a planning document, to help establish the future use of Township funds; and 4) how Council influences how the CIP is drafted.

Council began to evaluate the goals and objectives set by prior Township Council members to ensure that the priorities are reflective of the current Council's vision for the future. Following the discussion, Council directed staff to schedule a more in-depth review after July 17 to further identify Council's goals and objectives.

NB-3 Penn State University – College Township *First Amendment to Settlement Agreement*

Mr. Brumbaugh advised that on September 1, 1996, College Township and The Pennsylvania State University (PSU) executed a settlement agreement that resolved a then-existing dispute over the assessment and taxation of certain real property owned by PSU. The Agreement provided for impact fee payments to be paid by PSU to College Township in conjunction with ticketed events that would be held at PSU venues, such as the Bryce Jordan Center, located in College Township. This Agreement continues in full force through December 31, 2016.

College Township staff began working with Mr. D. Sieminski, PSU Vice President for Finance and Business, in August of 2013 on an extension of the current Agreement, which resulted in

the Amendment to the Settlement Agreement herewith presented to Council for approval. The Amendment extends the Agreement from December 31, 2016, to December 31, 2036, and modifies language to make clear that the Agreement pertains to all PSU facilities located in College Township at which non-NCAA- or PIAA-sanctioned, ticketed events are held. The fee schedule is based on event ticket prices. Mr. Brumbaugh recommended that Council approve this proposed Amendment to the Settlement Agreement.

Following a brief discussion on third-party events, Council took the following action.

Mr. Francke moved to approve the *First Amendment to Settlement Agreement* between The Pennsylvania State University and College Township, last modified on May 22, 2014, and effective December 31, 2016, to December 31, 2036. Mr. Herman seconded the motion. Motion carried unanimously.

NB-5 Sidewalk/Traffic Signal Engineering Proposals

Staff described how the following four projects are funded, noting that these projects have been on the Capital Improvement Program (CIP) for several years now. Staff clarified that the estimated funds put against each project in the CIP are not to be considered an exact cost. Any cost overages are able to be covered by unbudgeted Township funds.

a. Trans Associates Proposal for Traffic Engineering Services for Transfer Road Traffic Signal Warrants; Approval of

Ms. Stilson moved to approve and authorize staff to sign the Proposal from Trans Associates for Traffic Engineering Services for College Avenue and Transfer Road Signal Investigation at a fee not to exceed \$3,250.00.

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

b. Keller Engineers Proposal for Sidewalk Design – Houserville Road; Approval of

Ms. Stilson moved to approve and authorize staff to sign the Proposal of Service from Keller Engineers for Sidewalk Design along Houserville Road (SR 3011) for the preliminary design only for a fee of \$12,700 and estimated reimburseables of \$300, for a total amount of \$13,000.

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

c. Keller Engineers Proposal for Sidewalk Design – Trout Road and Dreibelbis Street; Approval of

**Ms. Stilson moved to approve and authorize staff to sign the Proposal of Service from Keller Engineers for Sidewalk Design – Trout Road and Dreibelbis Street for a fee of \$17,900.
Mr. Francke seconded the motion.
Motion carried unanimously.**

d. Keller Engineers Proposal for Sidewalk Design – West Whitehall Road; Approval of

**Mr. Francke moved to approve and authorize staff to sign the Proposal of Service from Keller Engineers for Sidewalk Design – West Whitehall Road (SR 3020) for a fee of \$26,000.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

STAFF AND ABC INFORMATIVES:

No Staff Informatives were pulled for discussion.

COUNCIL/STAFF OTHER MATTERS:

1. Nittany Outdoor Advertising - By Council consensus, it was agreed to refuse the second settlement offer recently presented.
2. Mr. Brumbaugh inquired about Council's wishes relative to the filling of the Planning Commission vacancy. Council concurred with moving forward to fill this vacancy. Staff will forward to Council the ABC applications of those who have expressed an interest in being considered for this vacancy.

COMMITTEE REPORTS:

Planning Commission (PC) Meeting, June 17, 2014: Mr. Steve Lyncha, Planning Commission liaison to Council, reported, in its review of the Everhart rezoning request from Agriculture (A) to Single-Family Residential (R-1), that staff provide statistical data on R-1 lands in the Centre Region.

Public Safety Committee, June 11, 2014: Mr. Francke reported that the Public Safety Committee 1) made minor changes to the Code Service Contract with Bellefonte Borough; 2) considered a proposed amendment to the 2014 Centre Region Code Administration (CRCA) Budgets relative to the 2014 Existing Structures Budget; 3) reviewed the proposed changes to the 2014 Building Capital Budget to accommodate an increase for engineering reviews; and 4)

reviewed and commented on the 2015 Program Plans for the Code, Fire, and Emergency Management Programs.

Joint Meeting of Parks Capital Committee and the Centre Region Parks and Recreation Authority Board, June 12, 2014: Mr. Francke reported that this joint meeting 1) discussed the Hess Softball Field Complex Driveway Study – Final Report; 2) received the updated version of the Tennis Building Strategic Business Plan, as generated by the Centre Region Community Tennis Association; 3) discussed Mr. Pashek’s request for time to review and prioritize Whitehall Road Regional Park Phase 1 projects; and discussed how the Whitehall Road Park should or should not proceed with Toll Brothers.

Executive Committee, June 17, 2014: Chair Bernier reported that the Executive Committee 1) received the Human Resources Committee’s draft Anti-Harassment/Non-Discrimination Policy; 2) reviewed the contract for Code Administration services for Bellefonte Borough; 3) agreed to forward to the General Forum the COG contract with State College Borough for pension administration services; 4) reviewed a proposed amendment to the 2014 Centre Region Code Administration (CRCA) Budgets; and 5) agreed to forward to the General Forum the 2014 Building Capital Budget and Code New Construction Budget.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Bernier adjourned the June 19, 2014, Regular College Township Council Meeting at 10:40 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary