

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES**
Thursday, June 21, 2012

ATTENDED BY:

COUNCIL:

Daniel D. Klees, Vice-Chair
Forrest J. Remick
David W. Koll
Mary C. Shoemaker

STAFF:

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

ABSENT:

David P. Fryer, Chair

CALL TO ORDER

Vice-Chair Daniel Klees called to order the June 21, 2012, College Township Council Regular Meeting at 7:08 PM, following public hearings on Ordinances O-12-01, Residential Rental Permits, and O-12-05, Property Maintenance and Fire Code.

ANNOUNCEMENT:

Vice-Chair Klees announced that Council met in Executive Session immediately prior to this meeting for the purpose of discussing a legal matter regarding The Villas at Happy Valley.

OPEN DISCUSSION:

Atty. Jeffrey A. Ernico, Mette Evans, Harrisburg, Pennsylvania, representing The Villas at Happy Valley developers, addressed Council relative to the computation used for the fee-in-lieu-of-parkland amount and brought into question the parkland formula applied to his client. Atty. Ernico advised that College Township would be receiving a memorandum that will

describe some legal principles adding that the developers of The Villas at Happy Valley look forward to addressing the issue of ambiguity regarding the Township Code Section 603.1.

SKETCH PLAN:

SK-1 Dreibelbis Street Hotel Proposal

Mr. John Sepp, Penn Terra Engineering, representing the developer, presented a sketch plan for a 109-room hotel being considered for an 8.169-acre site in the General Commercial District (C-1) on Tax Parcel 19-028-0094 adjacent to Stocker Subaru. The facility would be known as Homewood Suites by Hilton. The developers acknowledged that they would like to put in an asphalt sidewalk, instead of concrete along their upper driveway, until the adjoining properties are developed.

Council comments or inquiries included the following.

- Regarding asphalt sidewalk, Council advised that, if an asphalt sidewalk is approved, Council would likely place a time limit on it before concrete would be required.
- Inquired about plans for parking for over-sized vehicles. Mr. Sepp replied that any over-sized vehicles, such as RVs, would likely take up multiple parking stalls, as no large-vehicle parking was planned.
- Inquired about developer's plans to grade/prepare the site for future tenant/restaurant. Mr. Sepp advised that any site work for the additional pad site would wait until a firm use had been identified.
- Council encouraged the developer's consideration of beneficial reuse water, possibly for heating and cooling. Mr. Sepp advised that this would be checked into.
- Considered the value of a dedicated center turn lane at the intersection with Dreibelbis Street and suggested that the developer consider discussing this with Township staff. Mr. Sepp will discuss this with the traffic consultant and look at the grades.

Mr. George Brown, 194 Birchtree Court, State College, complained to Council about the potential for increased load on the sewer plant with this proposed hotel, adding that the residential areas near this proposed building site are already suffering with the odor from the sewer plant. Mr. Brown provided Council and staff with a copy of a letter he wrote to the University Area Joint Authority (UAJA) regarding the offensive odor emanating from the UAJA facility in mid-June and requested Council's action.

Council directed staff to forward Mr. Brown's letter and information to the Township's two representatives on the UAJA Board. Mr. Brumbaugh, Township Manager, replied that, once PSU classes terminate at the end of each semester, the UAJA experiences a great deal of difficulty balancing out the organics.

MANAGER’S UPDATE:

Mr. Brumbaugh, Township Manager, presented the June 21, 2012, Manager’s Update and highlighted 1) a kick-off meeting regarding the Oak Hall roundabout, which is moving forward; 2) the E. Branch Road bridge replacement project’s experience with someone turning off the bypass pump when workers are not present in the evening; and 3) a planning meeting held with the State College Borough to discuss the Paterno Way street-naming petition. The latter will go to public hearing in State College Borough, but not before November 2012.

CONSENT AGENDA:

CA-1 Minutes:

- a. May 17, 2012, Regular Council Meeting
- b. June 7, 2012, Regular Council Meeting.

CA-2 Correspondence:

- /1: Letter from CATA, dtd June 8, 2012, regarding CATARIDE.
- /2: Email from Mr. M. Keefer, dtd May 18, 2012, subj: Oak Hall Regional Parkland.
- /3: Letter from PA DEP, dtd. June 5, 2012, Re: 2011 Municipal Wasteload Management Report.
- /4: Letter from EADS Group, dtd June 7, 2012, Subj: NPDES General Permit – SR 3018 Widening Project.
- /5: Letter from ClearWater Conservancy, dtd June 8, 2012, requesting permission to treat Japanese knotweed at Slab Cabin Park.
- /6: Letter from State College Borough, dtd June 14, 2012, responding to request for access to Marylyn Avenue.
- /7: Letter from Penn State, dtd June 14, 2012, regarding DEP Plan Approval Application, East Campus Steam Plant Boiler Retube Project.

Ms. Shoemaker moved to accept and approve the June 21, 2012, Consent Agenda, as presented.

Mr. Koll seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinances

a. Ordinance O-12-01, Residential Rental Permits; Adoption of

In written correspondence to Council dated June 14, 2012, Mr. Mark Holdren, CRPA Sr. Planner, advised that Ordinance O-12-01, Residential Rental Permits, would amend Chapter 200, Zoning, and create a new chapter to be entitled *Chapter 160, Residential Rental Permits* to the College Township Code. The proposed ordinance will require residential rental properties to apply for and receive a permit from College Township for all properties to be rented for residential purposes. The intent of this ordinance is to assure that rental housing in College Township is decent, safe, and sanitary. Furthermore, it is the purpose of this ordinance to regulate residential rental properties by ensuring that they are operated and maintained so as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration of the surrounding community.

Although generally supporting this ordinance, Dr. Remick voiced an objection to the requirement placed on a residential rental permit applicant to report in advance annually what anticipated dates a renter might be renting out their property. Dr. Remick deemed this excessive and suggested that it might be better to allow the rental permit holders to report at the end of the year what dates they rented instead of guessing ahead of time.

Regarding how property owners would be advised on this new requirement, Council suggested newspaper ads in advance of the first home football game weekend could be considered. Vice-Chair Klees recommended that all short-term, College Township rental property owners, as seen advertising on the Internet, should be sent the new ordinance directly.

Mr. Koll moved to adopt Ordinance O-12-01, Residential Rental Permits.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

b. Ordinance O-12-05, Property Maintenance and Fire Code; Adoption of

In written correspondence to Council dated June 14, 2012, Mr. Mark Holdren, CRPA Sr. Planner, advised that Ordinance O-12-05, Property Maintenance and Fire Code, will amend the Centre Region Building Safety and Property Maintenance Code, 2010 Edition, also known as College Township's Chapter 152 – Property Maintenance and Fire Code, relative to definition of residential rental properties and rental housing permit suspensions for nuisance and criminal violations. The intent of this ordinance is to amend the adopted Property Maintenance and Fire Code, which prescribes effective standards and minimum requirements

for buildings and premises in College Township. This will implement the point system for violations.

Mr. Franek, Zoning Officer, stated that this ordinance will be a big help in getting problem properties into shape.

Vice-Chair Klees directed that property owners be notified of this change.

Mr. Koll moved to adopt Ordinance O-12-05, Property Maintenance and Fire Code.

Dr. Remick seconded the motion.

Motion carried unanimously.

c. Resolution R-12-09, Residential Permit Fees and Penalties; Approval of

In written correspondence to Council dated June 14, 2012, Mr. Mark Holdren, CRPA Sr. Planner, advised that Resolution R-12-09, Residential Permit Fees and Penalties, would establish fees and penalties in relation to the Residential Rental Permit Ordinance by amending Township Ordinance 100, Chapter A203, Fees and Penalties. By this resolution, §A203-16E, Rental housing permit fee, would be deleted and a new §A203-24, Residential rentals, added.

Mr. Koll moved to approve Resolution R-12-09, Residential Rental Permit Fees.

Dr. Remick seconded the motion.

Motion carried unanimously.

OB-2 Pike St. Streetscape/Traffic Calming Project Summary of Open House Comments; Discussion

Mr. Kent Baker, Township Engineer, reported in correspondence to Council, dated June 14, 2012, that in order to move the subject project forward, staff requires Council direction based on community input received at the May 23rd Open House on the proposed Pike Street Streetscape/Traffic Calming Project. Mr. Baker provided to Council a listing of received community comments to aid in Council's consideration of a staff directive.

Mr. Michael Pratt, Keller Engineering, design consultant, was available for questions.

Council comments included the following.

- Sidewalks need to be improved for safety.
- Parking will be problematic if not remedied.
- Reinforced that the goal of this project is traffic calming and safety, which should dictate what types of parking should or should not be considered.

- Supported parallel parking and taking out the angled and perpendicular parking, as depicted in the proposed design.
- Mayes Memorials' unloading needs and parking at the apartments on the stream-side seemed to be two problems that would need to be addressed.
- Considered possible turnback of Pike Street from PennDOT to College Township.

Staff was directed to take Council comments and make a single paragraph on each comment and put on the website as a public update.

Council advised staff that it wished to continue to move this forward and agreed that staff should work on an extension with the consultant for an expanded design that could be offered at another open house for additional public comment.

NEW BUSINESS:

NB-1 Calvary Baptist Church Development of Regional Impact (DRI); Discussion

Ninety-six members of the Calvary Baptist Church community signed a petition, dated May 25, 2012, in support of the Development of Regional Impact (DRI) application, which is being considered for the planned development at the Harvest Fields property in Harris Township. Plans include the construction of worship space and a facility for other ministries. Although the developers are prepared to install an on-lot septic system for their facility, they feel the facility would be better served by the University Area Joint Authority (UAJA) public sewer service.

Vice-Chair Klees stated that the UAJA plant could handle taking in the wasteload from this facility; however, the problem is their ability to discharge it. Vice-Chair Klees asked Council to discuss College Township's position prior to the June 25th General Forum Meeting, where a vote will be taken.

Council considered the approval of this expansion of the Regional Growth Boundary (RGB) to be an obstacle to any consideration of getting a connection to Potters Mills in the future.

NB-2 Panorama Village Open Space; Discussion

Mr. Kent Baker, Township Engineer, advised that the current Panorama Village Improvement Association, established in 1955, is no longer active due to all original incorporators of the association having passed away. Some cleanup of overgrown vegetation on a portion of the open space was performed by a relative of a current resident, and playground equipment was uncovered. An Eagle Scout candidate has viewed the site and considers it a worthwhile project to refurbish the playground equipment and perform additional cleanup. Mr. Baker offered the Township's support of this project, if the Township became owners of the property. The adjacent property owner, Mr. Jean Slear, 124 Maple Lane, is listed in Centre County records as the contact person for the property. Mr. Slear supports the Township's take

over of this property. It was determined that this playground area has not been maintained in approximately ten years.

Mr. Baker recommended that Council authorize the acquisition of the Panorama Village Open Space property through a quit claim or similar process determined acceptable by the Township Solicitor.

Council supported the recommended acquisition but wanted to hear residents' comments on this matter. Council requested that affected residents and property owners be invited to a future Council meeting to offer comments on this possible acquisition.

NB-3 Acquisition of Manufacturers Equity Property, Limerock Terrace

Mr. Kent Baker, Township Engineer, reported that, in accordance with Council's May 17, 2012, approval motion for the Limerock Court development, staff and the developer have been addressing the details necessary to ensure the parkland requirements are met. An existing sales agreement with United Refining Company of Pennsylvania, owner of Manufacturers Equity property, will be assigned to College Township, which will close on the property using funds provided by the developer of the project. The cost of the property is \$85,000 plus closing costs. Once closed, College Township will own the parcel, which will be used for recreation opportunities for the Limerock neighborhood. This transaction will satisfy parkland requirements for the Limerock Court project. Council action to approve Resolution R-12-14 in support of this acquisition is required to bring this to closing.

Dr. Remick moved to approve Resolution R-12-14 authorizing the acquisition of Tax Parcel Number 19-008/103, E. College Avenue in the amount of \$85,000.

Mr. Koll seconded the motion.

Ms. Shoemaker asked if a sidewalk would go to this location, and Mr. Brumbaugh replied that there will be a mulched path and sidewalks in the development and also a sidewalk along Limerock Terrace from the development to the park.

**Vice-Chair Klees called the question.
Motion carried unanimously.**

STAFF AND ABC INFORMATIVES:

Received without comment.

COUNCIL/STAFF OTHER MATTERS:

Ms. Shoemaker requested that Council authorize a \$200 donation to the Centre County Association of Township Officials' Scholarship Fund, which offers college scholarships to qualified Centre County students.

Mr. Koll moved that College Township donate \$200 to CCATO's Scholarship Program for 2012 and discuss the same for 2013 at budget review time.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

COMMITTEE REPORTS:

Public Safety Committee: Mr. Koll reported that the Public Safety Committee agreed on the acquisition of Tyler Technologies, Inc. software for the COG Code services management, agreeing to going with the fixed number. The State College Borough, although offering to COG a less expensive Code software option, was not considered as a provider because the Borough has not been able to offer a price for their software support.

Mr. Brumbaugh, Township Manager, added that, following a recent meeting of municipal managers and the Code Director, it was decided that it would be best to delay action with the understanding that it should be impressed upon the Borough what would be required to implement the Tyler system through the Borough. Dr. Schneider, Code Director, requested that this be tabled pending discussion with the State College Borough.

Mr. Koll added that the Public Safety Committee supported the Code Office acquiring CNG vehicles.

Parks Capital Committee, June 14, 2012: Vice-Chair Klees reported that the Parks Capital Committee received a presentation from Ferguson Township on Ferguson's plans to partner with the State College Babe Ruth Baseball organization to improve the existing, two-baseball field complex off Airport Road. Ferguson Township will seek the support of the State College Area School District (SCASD) and apply for state funding assistance. The Committee received a status report from Mr. R. Woodhead, Executive Director of Centre Region Parks and Recreation (CRPR), on the hiring of a Program Manager and on the schedule to proceed with developing recommendations for a part-time Construction Manager/Service for the two Phase I regional park construction projects.

At their April meeting, the Parks Capital Committee authorized APArchitects to conduct a study to evaluate the three regional parks sites and the design parameters for a new, centralized parks maintenance facility. That study is now underway, and the draft report should be presented in July to the joint committees and the COG Finance Committee.

The College Township Water Authority requested a second extension to the Right of Entry Agreement to allow for the completion of the Oak Hall Regional Park water well permitting requirements, and the Committee approved that extension request. A long-term agreement will be generated.

The Committee also heard an update on the Whitehall Road Regional Park relative to the residential parcels recently sold by Penn State University to Toll Brothers, Inc., as that development impacts the park entrance road and utility access.

ADJOURNMENT:

Hearing no further matters for discussion, Vice-Chair Klees adjourned the June 21, 2012, College Township Council Regular Meeting at 9:16 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary