

**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Thursday, July 16, 2015**

ATTENDED BY:

COUNCIL:

L. Eric Bernier, Chair
Lynn Herman, Vice-Chair
Carla Stilson
D. Richard Francke, Council Member
William H. Sharp

STAFF:

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

ABSENT:

Mark J. Gabrovsek, Zoning Officer

CALL TO ORDER:

Chair Bernier called to order the July 16, 2015, Regular College Township Council Meeting at 7:00 PM, followed by the Pledge of Allegiance.

OPEN DISCUSSION:

Realizing that a number of audience members were present to discuss a recently removed historic tree in Lemont, Chair Bernier placed this matter onto this evening's agenda as NB-2 but to be addressed prior to considering NB-1.

Ms. Sue Smith, President of the Lemont Village Association (LVA), reported that traffic counting activities were observed recently on both Dale Street and Pike Street and recommended that counts be made again once students return to the area.

PLANS:

**P-1 Penn State University (PSU) Ag Engineering Swing Space and Farm Services
Building Preliminary/Final Land Development; T.P. 19-003-100**

In correspondence to Council, dated July 10, 2015, Mr. Kent Baker, Township Engineer, advised that Penn State University is proposing to construct a 7,500-square-foot, one-story

building in University Planned District-11 (UPD-11). The site will serve its Department of Ag Engineering and Farm Services needs and will accommodate farm vehicle access from an existing gravel road network. The site will be served with public water, sewer, electric, and gas facilities. Stormwater management will be managed onsite through an underground basin located above the football parking areas. No designated parking is proposed as no staff members will occupy the structure. A sidewalk waiver is requested, as no pedestrian traffic is anticipated in the area.

Ms. Robin Froehlich, P.E., Stahl-Sheaffer Engineering, reiterated the scope of the project and further described proposed stormwater management facilities before requesting the sidewalk waiver.

Council expressed a preference to memorialize that a sidewalk waiver would not be permanent and could be repealed should uses change on this site or those adjacent.

Mr. Sharp moved to approve the PSU Ag Engineering Swing Space and Farm Services Building Preliminary/Final Land Development Plan, dated May 15, 2015, and last revised July 8, 2015, subject to the following conditions:

- 1. Obtain all required signatures;**
- 2. Pay all outstanding review fees;**
- 3. Council agrees to the sidewalk waiver described in Note 7 on the Cover sheet; and**
- 4. Add Note 8 to the plan stipulating that, should the use change in the future, a new plan would be required and, at that time, the temporary sidewalk waiver would be reviewed by Council and possibly reversed.**

Mr. Francke seconded the motion.

Motion carried unanimously.

P-2 Barn Brewing Parking Lot Expansion Preliminary/Final Land Development Plan Recording Deadline; Request for Time Extension; T.P. 19-010-131B

In correspondence to Council, dated July 10, 2015, Mr. Baker, Township Engineer, reported that Sweetland Engineering had submitted a request on behalf of the developer to extend the current, 90-day time extension to allow time for PennDOT to complete its review of the Barn Brewing Park Lot Highway Occupancy Permit (HOP) application for the driveway. Additionally, Mr. Baker noted that the developer plans to modify the plan design to avoid having to install the costly retaining walls and subsurface detention. This will result in a reduced number of parking spaces. This revision, Mr. Baker advised, could be accomplished through the minor plan process following the developer's recording of this land development plan.

Ms. Stilson moved to grant an additional 60 days for the Barn Brewing Parking Lot Expansion Preliminary/Final Land Development Plan to September 13, 2015.

Mr. Herman seconded the motion.

Motion carried unanimously.

MANAGER'S UPDATE:

Mr. Adam Brumbaugh, Township Manager, presented the July 16, 2015, Manager's Update, reporting that 1) the Oak Hall Traffic-Calming Open House PennDOT Plans Presentation is now scheduled for August 6, 2015, at 6:00 PM at the Township Building; 2) the plaintiff in the Nittany Outdoor Advertising lawsuit has been given 30 days to put an appeal together; and 3) the expansion of the E. Branch Road/Country Club Road Bridge Project will now include a left-turn lane onto Country Club Road but will not include a right-turn lane from Country Club Road onto E. Branch Road.

Council expressed their appreciation of PennDOT's consideration, and inclusion, of comments offered by Council and residents, on PennDOT's E. Branch Road Bridge Replacement Project plans.

The July 16, 2015, Manager's Update was received, as presented.

COMMITTEE REPORTS:

Spring Creek Watershed Commission (SCWC), July 15, 2015: Mr. Sharp reported that the SCWC received a report from its Watershed Atlas Committee on its project that proposes to develop a collection of maps depicting the major features of the Watershed. These maps would be made available to decision makers, schools, and the general public. The SCWC subsequently reviewed its by-laws and original inter-municipal agreement and determined that the Commission continues to reach the objectives of its mission statement.

College Township Industrial Development Authority (CTIDA), July 15, 2015: Mr. Sharp reported that the CTIDA Board received reports from its Loan, Finance, and Marketing Committees. The Treasurer's Report reflected 1) Total Assets of \$2,734,614.67; Total Expenditures to June 30, 2015, of \$5,171.38; and Net Income to June 30, 2015, of \$29,480.20, which is an 84.9% increase over last year's Net Income figures to date. The new Marketing Committee is revising the CTIDA marketing literature and identifying potential clients and target audiences to contact. Mr. Sharp directed Council's attention to Staff Informative Item SI-3 in this packet, the 2014 CTIDA Annual Report.

Public Services and Environmental Committee (PSEC), July 7: Attending the PSEC meeting on behalf of Ms. Stilson, Mr. Brumbaugh reported that the Committee 1) approved forwarding its recommendation to the General Forum that the UAJA provide domestic wastewater treatment for the proposed water treatment plant; 2) forwarded to the General Forum approval of a resolution regarding sewage treatment and discharge capacity at the UAJA Spring Creek Pollution Control Facility; 3) received a report on the COG's collection of \$246,258 in recycling rebate funds since 2009, with \$160,081 of that having been spent or accounted for in accordance with PSEC projects; 4) was challenged by the UAJA Executive Director regarding language used in COG's "Matter of Record" relative to UAJA's influent numbers. The latter will return to Committee for further discussion.

Finance Committee, July 9, 2015: Mr. Francke reported that the Finance Committee 1) reviewed the draft lease agreement between COG and Ferguson Township for the storing of fire safety training equipment at Ferguson Township; 2) reviewed the draft 2016 Program Plan and draft 2016-to-2020 Capital Improvement Plan (CIP).

Transportation and Land Use (T/LU) Committee, July 6, 2015: Chair Bernier reported that the T/LU Committee began its review of the Regional Bike Plan survey.

CONSENT AGENDA:

- CA-1** Minutes: June 18, 2015, Regular Council Meeting
- CA-2** Correspondence: /1: Letter from Mr. Joseph Niebel, dtd June 19, 2015, Requesting Speed Limit Reduction on Puddintown Road
/2: Letter from Mr. David Zazworsky, P.E., dtd June 15, 2015, offering amendments to the proposed E. Branch Rd. Bridge Project design
/3: Letter from C-NET, dtd June 17, 2015, regarding its transition to high definition (HD) recording
/4: Email from Mr. Chad Fuller, dtd June 25, 2015, requesting speed reduction on Trout Road
/5: Letter from Mr. Steven Williams, dtd July 1, 2015, announcing the closure of the Collegeview mobile home park effective June 30, 2016
/6: Letter from Joanne Shafer, CCRRA, dtd June 26, 2015, forwarding CCRRA draft Centre County Solid Waste Management Plan
/7: Letter to PennDOT Dist. 2, dtd. July 6, 2015, from Mr. George Dickie, regarding hazardous travel conditions caused by declining trees in the right of way.
- CA-3** Bid Award: Award of Lemont Post Office Sidewalk Improvement Project to S. Crestani Construction for the total bid amount of \$6,993.00.

Council pulled Consent Agenda Items CA-2/1, CA-2/4, and CA-2/7 for discussion.

Mr. Francke moved to approve the July 16, 2015, Consent Agenda, minus Items CA-2/1, CA-2/4, and CA-2/7. Ms. Stilson seconded the motion. Motion carried unanimously.

CA-2/1: Ms. Stilson asked if College Township could request a speed reduction on Puddintown Road. Mr. Baker recommended that the Township wait until that road is turned back to College Township, as making that evaluation and change becomes much less difficult once it is a Township-owned road. PennDOT's turnback process could allow the Township to take control of the road in the early part of 2016. Council agreed to defer action on this request.

CA-2/4: In response to Council inquiry, Mr. Baker reported that Trout Road is already a Township road and recommended that the portion of Trout Road from Gerald Street to the bridge be evaluated for a speed reduction. Council directed staff to evaluate and prepare a report on options for Trout Road for Council's review.

CA-2/7: Chair Bernier questioned how trees in PennDOT's rights of way are maintained; and Mr. Baker advised that PennDOT does not respond to requests for removal of hazardous trees in their rights of way. Mr. Brumbaugh added that it is not acceptable for the municipality to go into a PennDOT right of way and perform those services, as the municipality has no authority to do so. Another similar situation exists with a hazardous tree on Pike Street that PennDOT has not yet committed to addressing. Mr. Brumbaugh recommended that Council direct staff to contact the PennDOT District Engineer about this issue. By Council consensus, the Township Manager was directed to draft a letter to PennDOT for the Chair's signature.

Mr. Herman moved to receive Consent Agenda Item CA-2/1, CA-2/4, and CA-2/7.

Ms. Stilson seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

No *Old Business* items were brought to the table.

NEW BUSINESS:

NB-2 Historic Trees; Discussion

Added to this agenda earlier in the meeting, Mr. Brumbaugh offered some background on the historic tree at 117 Shady Drive, a parcel adjacent to Glenn Park at 125 Shady Drive. The tree was taken down on June 30, 2015, by a crew hired by the property owners, as per the recommendation of an arborist previously consulted.

Mr. Brumbaugh offered some background on this location, reporting that this parcel was created in 2009 following the approval of a subdivision plan at 121 Shady Drive. The arborist report was prepared at the time of the subdivision; and, that report indicated that the tree, judged to be at least 200 years old, was in declining health and should be removed. Subsequently, Council requested another arborist's review of the tree. Mr. Alan Sam, State College Borough arborist, examined the tree and reported that he saw no error in the first arborist's report that recommended that the tree be removed. College Township had the parcel appraised and, on July 15, 2009, presented a written offer to Mr. John Conroy, property owner, to purchase the newly created lot for \$35,000. However, the offer was rejected the following day.

Dr. Ronald Smith, Lemont Village Association (LVA) member, stated that the LVA bylaws, stressing the maintenance and preservation of historic buildings, were under review for modification to also cover historic trees in the historic district. Dr. Smith urged College

Township Council to generate and adopt a tree preservation ordinance that would require property owners to preserve historic trees on their properties. With such an ordinance in place, the old tree on Shady Drive, which Dr. Smith observed had been in full bloom and showed no indication of dying, could have been saved.

Ms. Sue Smith, Dale Street, referenced the sycamores at the historic Centre Furnace Mansion that are well maintained and offered to Council a model tree ordinance from the Centre County Historical Society.

Ms. Jackie Bonomo, Matilda Avenue, expressed her support for a tree preservation ordinance that would respect both the landowner and the historic trees.

Mr. Brumbaugh stated that staff could work on this matter and return to Council in a few weeks' time, but cautioned that any such ordinance would apply not only to the Village of Lemont but to the entire Township, unless otherwise specified.

Council 1) wished to know what other municipalities do relative to their historic trees; 2) requested to see the model ordinance and how it would support the homeowner in maintaining their historic trees, if they were unable to afford to do so; 3) cautioned that there would need to be an inventory performed of historic trees, which could be a significant effort; and 4) suggested that, in any new tree ordinance, property owners could be offered an opportunity to volunteer to enter their historic trees into the Township's tree program. This matter will return to Council following staff's evaluation of possible options for maintaining its historic trees.

NB-1 PennDOT Turnback Proposal - Puddintown and Houserville Roads; Briefing

In a memorandum to Council, dated July 13, 2015, Mr. Baker described Pennsylvania Department of Transportation's (PennDOT) street turnback program, which allows for the transfer of ownership of roads from the Commonwealth to the local municipalities. Although staff seldom recommends assuming roads, Mr. Baker reported that staff would consider Puddintown Road and Houserville Road in order to be more responsive to needed road maintenance and to avoid PennDOT's permitting process. Houserville Road could be taken over from E. College Avenue to the newer bridge near Spring Creek Estates. Puddintown Road could be taken over from E. College Avenue to Houserville Road.

To encourage College Township to accept these turnbacks, Mr. Baker stated that PennDOT offered incentives in the form of an increase in its annual liquid fuels allocation from approximately \$2,622 to \$4,000 per mile for the turnback roads. PennDOT will also pay to have the roads upgraded to an improved condition, which would include pavement resurfacing, including widening the roadway to 20 feet, if needed, and culvert pipe replacement, drainage improvements, new guiderails, utility relocations, and new signs. PennDOT estimates the cost for road improvements for Houserville Road (SR 3011) to be \$800,000 and \$1,200,000 for Puddintown Road. As the two subject roads are more local in nature and their traffic counts relatively low, staff felt that the responsibilities of ownership were not overly burdensome; and, the increased liquid fuels reimbursements would offset the cost to maintain these roads.

Ownership of the one bridge on Houserville Road and the two bridges along Puddintown Road, however, would remain with PennDOT, should Council move this process forward.

Mr. Baker stated that, should Council wish to proceed with accepting these turnbacks, staff would coordinate with PennDOT to finalize the necessary resolutions and agreements for Council's action at a future meeting.

Council offered its support by consensus for the Engineer's take- over recommendation and directed staff to finalize this and return to Council in about one month.

STAFF INFORMATIVES:

No *Staff Informatives* were pulled for discussion.

OTHER MATTERS:

Mr. Herman requested and received clarification on the proposed changes to the current Right To Know Law relative to limiting prison inmates' requests for records not relating to themselves and to agencies charging reasonable fees for processing commercial requests.

ADJOURNMENT:

Hearing of no additional business, Chair Bernier called for a motion to adjourn. Mr. Sharp so moved; and Chair Bernier adjourned the July 16, 2015, Regular Council Meeting at 8:55 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary