

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, September 6, 2012**

ATTENDED BY:

COUNCIL:

David P. Fryer, Chair
Daniel D. Klees, Vice-Chair
Forrest J. Remick, Ph.D.
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

CALL TO ORDER

Chair David Fryer called to order the September 6, 2012, College Township Council Regular Meeting at 7:02 PM, following a public hearing on Ordinance O-12-10, Windstream Cable Franchise Agreement.

OPEN DISCUSSION:

1. Ms. Sue Smith, Dale Street, Lemont, distributed fliers on, and invited Council to attend, the October 25th Affordable Housing Summit sponsored by the Centre County Affordable Housing Coalition.
2. Ms. Smith announced that several tickets were still available for the Lemont Village Association's (LVA) fundraising dinner scheduled for September 8th. Proceeds go toward the new bathroom facility at the Granary.

MINOR PLAN:

MP-1 McDonald's Restaurant; Tax Parcel 19-02B-090-0000; Benner Pike

Mr. Mark Mox, Mox McIlvried DiDiano & Mox, LLC, advised that, the developers received a request from the Macy's store at the Nittany Mall for a modification to the access driveway to the new restaurant. The developers of McDonald's have, therefore, submitted a minor plan and a revised PennDOT Highway Occupancy Permit (HOP) to change this new driveway to a right-out-only. Mr. Mox expressed some concern with drivers illegally using the right-out-only exit as a left-turn-in and described the signage that would encourage proper usage of the exit.

Council offered the following comments.

- With the way the buildings are designed, a driver using the drive-thru must make two circles around the building in order to use another part of the mall.
- Suggested adding a sign closer to the parking spaces, and possibly positioned lower for easier reading, that warns drivers that the exit is a right-out-only exit.
- Asked developer to investigate any additional deterrents that could be utilized to prohibit the illegal use of the exit as a left-turn-in.

Although staff expressed a preference for the original plan with a multi-directional entrance/exit, it sees no issue with the modified design. Staff supported the approval of this plan under minor plan criteria conditioned upon the above comments.

PLAN:

P-1 Canterbury Crossing Land Development; Tax Parcel 19-605-100A-0000; Brandywine Drive

a. Phase IV and V, Lots 32 and 33 Preliminary Land Development Plan

Mr. John C. Sepp, P. E., Vice President, Penn Terra Engineering, introduced Mr. Bob Poole, developer, before presenting the subject plan. This plan proposes the development of an 18.070-acre parcel in the Canterbury Crossing Planned Residential Development (PRD) for the three-phased construction of 131 multi-story townhome condominiums and related infrastructure. The proposal also involves the creation of a right of way for Brandywine Drive, which will bisect the development and connect the road that dead ends on either side approximately 1,200 feet apart. Mr. Poole requested that Council approve the three-phased construction of Brandywine Drive due to difficulties resulting from financial institution lending limitations on infrastructure construction.

At their August 16, 2012, Regular Meeting, Council reviewed and offered preliminary comments on this plan but took no action. The developer returned to Council this date after

making some modifications on the road completion criteria, adding two speed tables on Brandywine Drive, and adding one CATA bus pad, as well as some additional technical issues, as identified by the Township Engineer.

**a. Phase IV and V, Lots 32 and 33 Preliminary Land Development Plan;
Tax Parcel 19-605-100A; Brandywine Drive**

Mr. John Sepp, P.E., Penn Terra Engineering, advised that the road completion details were called out on the second plan sheet, reflecting that the road would be completed five years after the occupancy of the fiftieth (50th) unit. Mr. Sepp reported that the Alpha and Boalsburg fire companies were satisfied with a steel swing gate with a key box.

Council offered comments on the standard practice of the fire companies using a key box as being less than desirable; briefly considered the value of removable speed tables for snow plowing purposes; supported two phases for road completion, as now reflected in the plan; expressed preference for construction traffic to stay off Brandywine Drive and using the temporary haul road as much as possible; accepted the proposed 50-unit occupancy trigger for the completion of Brandywine Drive, but wanted the agreed-upon details to be reflected on all three plan sets; preferred permanent speed tables, and discussed the width of such tables.

Mr. Dave Meehan, 442 Brandywine Drive, asked whether or not CATA bus services would begin before the road is completed; and Council confirmed that bus services would not begin prior to the road completion. Mr. Meehan advised that the speed table is presently planned for placement directly in front of his house; and he requested that it be moved down a few hundred yards to minimize the noise pollution by drivers maneuvering over that table. Mr. Meehan voiced opposition to the road being completed and asked Council to insist the construction vehicles use the temporary haul road.

Mr. Klees moved to approve the Canterbury Crossing Phase IV and V, Lots 32 and 33, Preliminary Land Development Plan, dated June 18, 2012, last revised August 30, 2012, with the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Pay all outstanding plan review fees;**
- 3. Re-title the Project Narrative to “Canterbury Crossing Phase IV and V, Lots 32 and 33, Preliminary Land Development Plan” and correct three reference to a Preliminary/Final Plan within the Narrative;**
- 4. Reference the Project Narrative on Sheet 3, Project Note 4;**
- 5. Address the stormwater management review comments from Donald Franson in his letter dated August 31, 2012;**
- 6. Specify the number of bus pads in Note 22 on Sheet 3;**
- 7. Add a Project Note that No Parking signs will be installed at the direction of the Township Engineer; and**

8. **Add note from minor plan stating that Brandywine Drive will be completed within five (5) years of the occupancy of the 50th unit in Phases IV and V on Lots 32 and 33.**

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

Mr. Baker explained that within the above preliminary plan is a subdivision sheet, identified as a “preliminary/final”, which must have Council’s approval to allow for its recording with Centre County.

Mr. Klees moved to approve the Canterbury Crossing Phase IV and V, Lots 32 and 33, Land Development Preliminary/Final Subdivision Plan, dated July 9, 2012, last revised August 30, 2012, with the following conditions:

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

Mr. Koll seconded the motion.

Motion carried unanimously.

b. Lots 32 and 33 Phase 1 Final Land Development Plan

Mr. Klees moved to approve the Canterbury Crossing Lots 32 and 33 Phase 1 Final Land Development Plan, dated August 3, 2012, last revised August 30, 2012, with the following conditions:

1. **Obtain all required signatures on the plan;**
2. **Pay all outstanding plan review fees;**
3. **Reference the Project Narrative on Sheet 2, Project Note 4;**
4. **Correct the reference to a preliminary/final plan in Plan Reference 2.v;**
5. **Revise the detail for the temporary speed table, as recommended by Donald Franson in his Final Plan review letter, dated August 31, 2012;**
6. **Add a Project Note stating that No Parking signs will be installed at the direction of the Township Engineer;**
7. **Post surety for all public improvements, as required by the Township Engineer; and**
8. **Add note from minor plan stating that Brandywine Drive will be completed within five (5) years of the occupancy of the 50th unit in Phases IV and V on Lots 32 and 33.**

Dr. Remick seconded the motion.

Motion carried unanimously.

c. Minor Revision Phasing Plan (Comments to Staff)

Mr. Baker, Township Engineer, stated that this minor plan is presented to update the phasing of the PRD plan. Mr. Baker suggested that Council discuss Note 2 of Sheet 2, which states that Brandywine Drive will be completed within five (5) years of the occupancy of the fiftieth (50th) unit in this 131-unit planned development.

Council comments were collectively offered as stated on page 3 above.

Chair Fryer brought agenda item NB-2 forward for the convenience of those in attendance.

NB-2 COG Matters; Proposed Centre Region Parks Maintenance Facility

Mr. Brumbaugh introduced Mr. Ron Woodhead, Director, Centre Region Parks and Recreation, and Mr. Jim Steff, Executive Director, Centre Region Council of Governments (CRCOG), as representatives of the CRCOG prior to discussing the proposed Parks Maintenance Facility. The General Forum of the CRCOG moved at the August 2012 meeting to refer to the participating municipalities the review of the Parks Maintenance Facility being considered for construction and to return comments to the COG Executive Director by October 3, 2012.

Council comments included the following.

- Concurs with need to proceed as quickly as possible with an alternative location for the parks maintenance facility.
- Supportive of a single, stand-alone parks maintenance facility for employees and equipment in a reasonably centralized location within the Centre Region.
- Takes no issue with the HPA feasibility study suggesting that such a facility be constructed at the Whitehall Road Regional Park site as the permanent location for the facility.
- Decisive steps must be taken beginning in 2013 to fund the construction of this project.
- In event of COG member municipalities being unable to reach an agreement, sufficient funds must be placed in the 2013 COG budget to accommodate, at a minimum, a short-term lease of appropriate size for all or most of the existing inventory of parks equipment and personnel at one location.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the September 6, 2012, Manager's Update reporting on the following.

1. All six Township entry signs are now erected.
2. Bellefonte Historic Railroad will be making repairs to the Dale Street railroad crossings, which is expected to take one day and take place late September or early October.
3. Construction at The Villas at Happy Valley will begin on September 10, 2012.
4. UAJA reported that one of the two permits is now in hand to do the stream augmentation at the E. Branch Road bridge construction site.

CONSENT AGENDA:

- CA-1** Minutes:
- a. August 16, 2012 Public Hearing on Ord. O-12-06, Billboards.
 - b. August 16, 2012 Regular Council Meeting.
 - c. August 29, 2012 Special Meeting – CIP Review.
- CA-2** Correspondence:
- /1: Letter from HRG, Inc., dtd July 31, 2012, re: UAJA NPDES Permit Renewal Application.
 - /2: Letter from ClearWater Conservancy, dtd Aug. 23, 2012, re: Thompson Woods Preserve Annual Monitoring.
 - /3: Email from Melissa Morgan, PSATS, subj: PSATS Grassroots Lobbying Network: Centre County Members.
- CA-3** Report: Finance Director's to August 30, 2012.
- CA-4** Assessment: Rental Uniforms – Cintas Settlement Offer
- CA-5** Bid Award: Anti-Skid.
- CA-6** Resolution: R-12-17, Oak Hall Park Sewage Planning Module.
- CA-7** ABC Appointment: Robert Hoffman to Parks and Rec Comm. to fill Vacancy left by Matthew McKinney, with term expiration of 12/31/2012.

**Mr. Koll moved to accept and approve the September 6, 2012, Consent Agenda, as presented.
Dr. Remick seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

No Old Business items were brought before Council.

NEW BUSINESS:

NB-1 Ordinance O-12-10, Windstream Cable Franchise Agreement; Adoption of

In written correspondence to Council dated August 31, 2012, Mr. Adam Brumbaugh, Township Manager, advised that Ordinance O-12-10 would adopt a cable franchise agreement with Windstream Communications of Little Rock, Arkansas. Windstream serves only one cable television customer in College Township, the Hilton Garden Inn. The proposed agreement has no system build-out provision or schedule that is to be met by Windstream and is identical to the cable franchise agreement recently adopted by Ferguson Township. Mr. Brumbaugh recommended that this ordinance, having been duly advertised and having gone to public hearing this date, be adopted with conditions, as stipulated in the Master Cable Regulatory Ordinance. Those conditions include:

1. Payment by Windstream of \$1,000 franchise fee application;
2. Provision of Windstream's required surety and performance bonds;
3. Provision of Windstream's certificate of insurance; and
4. Windstream's execution of the agreement.

Ms. Shoemaker moved to adopt Ordinance O-12-10, Windstream Cable Franchise Agreement, with the following conditions:

- 1. Payment by Windstream of \$1,000 franchise fee application;**
- 2. Provision of Windstream's required surety and performance bonds;**
- 3. Provision of Windstream's certificate of insurance; and**
- 4. Windstream's execution of the agreement.**

Mr. Klees seconded the agreement.

Motion carried unanimously.

STAFF AND ABC INFORMATIVES:

Council offered no comments on Staff and ABC Informatives.

COUNCIL/STAFF OTHER MATTERS:

1. In response to a request for comments on the *DRI Procedure* from the Centre Region Council of Governments' Executive, Chair Fryer opened the floor for discussion. Mr. Jim Steff, CRCOG Executive Director, was present to address questions and accept comments.

Council offered the following comments:

- This matter should be added to the Executive Committee agenda.
- The PS&E Committee supported the formation of a committee to revise the procedure but first needed to know what the committee's

task would be. Allow the committee to establish but wait for comments on its objectives.

- Look at unanimous vote requirement.
- This is a political problem, not one of management. Move forward and expand what we share via zoning and land uses.
- Small groups, such as manager's meetings, could meet prior to the formation of a committee.

Council agreed to forward additional comments to the Township Manager for inclusion in a letter to COG.

2. Landscaping plan for Dale Street Reservoir project is budgeted but awaits final grades before it can be designed.

COMMITTEE REPORTS:

Public Safety Committee, August 29, 2012: Mr. Koll reported that the Public Safety Committee provided comments on the draft 2013 Detailed Budgets for Centre Region Code Administration, the Centre Region Fire and Rescue Program, and the Centre Region Emergency Management Program. Mr. Koll noted that the fire service budget is going up .6% due to health care costs, while the Emergency Management Program budget is decreasing due to less training. Regarding the Code Administration budget, Mr. Koll stated that, instead of hiring another staff person, Code should consider engaging a third party entity in order to save on benefits package costs. Mr. Koll reported, though, that the Committee was not supportive.

Public Services and Environmental Committee, September 5, 2012: Dr. Remick stated that the PS&E Committee received an update on Act 13 of 2012, the Unconventional Gas Well Impact Fee Act, which places zoning and land use restrictions on municipalities. This is going on appeal to the State Supreme Court, although distribution of fees will proceed as planned on December 1.

The Committee also discussed the Regional Development Capacity (REDCAP) report. Dr. Remick stated that groundwater could be jeopardized by increasing numbers of on-lot sewage disposal systems.

Centre County Metropolitan Planning Organization (CCMPO) Joint Meeting, August 20, 2012: Mr. Klees reported that the eight participating CCMPO municipalities and Centre County representatives met to discuss the 2013 MPO budget and to determine if the local funding shares would be modified as per Ferguson Township's request. The vote was 8 to 1 in favor of retaining the current local share funding formula, with Ferguson Township in opposition. Mr. Klees reported that this outcome was due in part to Centre County's not being able to commit to an increase in their contribution, as requested by the CCMPO. Centre County advised that they cannot commit to anything until they do their budget.

ANNOUNCEMENT:

Chair Fryer announced that Council would meet in Executive Session prior to the September 20, 2012, Regular Meeting to interview an ABC candidate.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the September 6, 2012, College Township Council Regular Meeting at 9:01 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary