

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, September 20, 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 20, 2012, College Township Council Regular Meeting at 7:11 PM, following a public hearing on Ordinance O-12-09, Campus Signs.

OPEN DISCUSSION:

1. Ms. Anne Kelly, 191 Boalsburg Road, requested that Council consider adding an agenda item to a future meeting to allow for the discussion of traffic concerns in the Village of Oak Hall. Council agreed to the discussion but chose to wait to schedule it pending the results of the traffic study that is underway for the proposed Oak Hall Roundabout. After receipt of the study results, a town meeting would be considered, which would likely also include PennDOT representatives, as the road is a PennDOT roadway.
2. Mr. Joe Westrick, 1320 Boalsburg Road, presented a complaint about the Hanson Quarry's lack of advance notification regarding their September 10th blast and asked if Council could learn how many more years the quarry would be operating in Oak Hall. Council responded that the quarry has 10 to 15 years of the higher-quality, lighter limestone but has an almost indefinite quantity of the lesser-quality, darker limestone

yet to mine. Staff will follow up on determining the acceptable blasting limits and urge the quarry to reinstitute its previous policy of making pre-blast phone notifications to neighbors.

PLAN:

P-1 Penn State University Intramural (IM) Building Additional and Renovation Preliminary/Final Land Development; Tax Parcel 19-003-100-0000; Curtin Road

Mr. Richard Manning, Sweetland Engineering, introduced Mr. Chad Spackman, PSU Project Manager, prior to presenting the PSU Intramural (IM) Building Addition and Renovation Preliminary/Final Land Development Plan and requesting Council's review and approval. This plan proposes a building addition and renovations to the existing IM Building at University Drive and Curtin Road. The building addition would measure 46,841 g.s.f. and would house new office space, multi-purpose rooms, fitness rooms, restroom facilities, mechanical room, and a new lobby area for IM sports. Exterior to the building would be a network of new sidewalks, minor improvements to the existing parking area, and extension of new utilities from Curtin Road. The increase in stormwater runoff to the Fox Hollow Watershed would be controlled by the existing stormwater basin facility adjacent to the softball field. The plans have been modified to accommodate a future CATA bus shelter.

Council held a brief discussion and inquired into the parking availabilities prior to taking action on this plan.

Mr. Koll moved to approve the Pennsylvania State University Intramural Building Addition and Renovation Preliminary/Final Land Development Plan, dated July 23, 2012, last revised September 5, 2012, with the following conditions:

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

Dr. Remick seconded the motion.

Motion carried unanimously.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the September 20, 2012, Manager's Update, highlighting 1) Oak Hall Roundabout design surveys being completed; 2) Oak Hall Park Well development undergoing step testing activity; and 3) Villas at Happy Valley land development beginning to move dirt.

CONSENT AGENDA:

- CA-1** Minutes:
- a. September 6, 2012 Public Hearing on Ordinance O-12-10, Windstream Cable Franchise Agreement.
 - b. September 6, 2012 Regular Council Meeting.
- CA-2** Correspondence:
- /1: Thank You Letter from Affordable Homes, dtd. Aug. 22, 2012, regarding home inspection procedures by Code and Township staff.
 - /2: Letter from Centre County Assessment, dtd Sept. 6, 2012, Exempting Oak Grove Homeowners Association for tax year 2013.
 - /3: Letter from PADEP, dtd Sep. 17, 2012, Approving Sewage Planning Exemption for Canterbury Crossing Phase IV and V.
 - /4: Letter from PA Auditor General, dtd Sept. 12, 2012, regarding deposit of Volunteer Fire Relief Association 2012 funds in the amount of \$90,198.63.
 - /5: Letter from PA Auditor General, dtd. Sept. 14, 2012, regarding deposit of General Municipal Pension System State Aid funds in the amount of \$89,885.41.
- CA-3** Bid Award:
- a. Rejection of bid for 2005 Ford F-350 Pickup Truck, 2005 Flink Stainless Steel Hopper Spreader, and 2005 Fisher Minute Mount Snow Plow Bid for \$6,038.10 from Maxwell Trucking and subsequently accepting Sunbury Motors trade allowance for all three pieces of equipment in amount of \$13,250.
 - b. Window Replacement, Exterior Dryvit Repairs and Office Bldg. Repainting Bid to John Spearly Construction, Inc. for the total bid amount of \$59,603.76.
- CA-4** Resolution: R-12-18, 2013 – 2017 Capital Improvement Program.

Council pulled Items CA-2/2, CA-2/4, and CA-2/5 for discussion prior to taking action on the remainder of the Consent Agenda.

Ms. Shoemaker moved to accept and approve the September 20, 2012, Consent Agenda, minus Items CA-2/2, CA-2/4, and CA-2/5.

Mr. Klees seconded the motion.

Motion carried unanimously.

CA-2/2: Ms. Shoemaker requested and received an explanation regarding the Oak Grove Homeowners Association's request for the removal of the subdivision's detention pond from the subdivision's Centre County tax assessment.

CA-2/4: Dr. Remick noted that the word "payment" in this PA Auditor General's Office correspondence leads a reader to assume that College Township was being requested to pay more than \$90,000, as opposed to that amount being deposited in the Township's account for Volunteer Fire Relief purposes.

CA-2/5: Dr. Remick stated that this letter from the PA Auditor General's Office is more accurately worded to reflect that the Township is receiving a deposit for the General Municipal Pension System State Aid funds.

**Mr. Klees moved to accept Consent Agenda Items
CA-2/2, CA-2/4, and CA-2/5.
Dr. Remick seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

OB-1 Ordinance O-12-09, Campus Signs

In written correspondence to Council dated September 12, 2012, Mr. Mark Holdren, CRPA Sr. Planner, advised that Ordinance O-12-09 amends the College Township Code by revising Chapter 170, Signs, to allow for additional signage in and around large developments classified as a campus. The intent of this ordinance amendment is to permit certain types of development to provide better direction and identification of their buildings and services within their development. This ordinance impacts large developments classified as campuses in which additional signage will be permitted to allow greater flexibility in placement of directional signage, as well as increase the number of signs identifying buildings and/or entrances to such. This ordinance further aims to enhance the visibility of buildings by allowing the placement of wall signs at higher heights so that buildings whose purpose is related to public safety will be readily identifiable from greater distances.

A duly advertised public hearing was held this date on this Ordinance Amendment.

**Mr. Klees moved to adopt Ordinance O-12-09, Campus
Signs.
Ms. Shoemaker seconded the motion.**

Ms. Shoemaker requested clarification about conflicting wording in §170-8.B. Staff apologized for the error and stated that the "...eight feet..." referenced was placed in §170-8.B.(2)(b) in an effort to keep the proposed language consistent with that in §170-8.B.(1).

Staff suggested the dropping of the last sentence and making minor changes to the proceeding sentence.

Mr. Klees moved to withdraw the motion to adopt Ordinance O-12-09, Campus Signs.

Ms. Shoemaker seconded the motion to withdraw.

Motion carried unanimously.

No action was taken on this Ordinance at this time.

OB-2 Panorama Village Open Space; Discussion

College Township Council received public comment at their July 19, 2012, Regular Meeting following the receipt of a request from an Eagle Scout candidate to conduct a clean-up project at the neglected Panorama Village Open Space. Because College Township does not own this open space, and the neighborhood association organized in the 1950s had ceased to function, alternative methods of upkeep were considered, including the possible Township takeover and maintenance of the open space should nearby residents make that request. Residents voiced concerns about the draw of visitors to the open space from outside the neighborhood, parking near the open space, and disruption of neighborhood peace. Council at the time described the Panorama Village Open Space as a “local park” for the use of the immediate neighbors who would walk to it. and directed staff to provide photographs of other similar Township neighborhood parks so the neighbors could make comparisons.

Based on Council’s previous direction, Mr. Kent Baker, Township Engineer, presented Council with photographs and aerial maps of Panorama Village Open Space, Glenn Park, and Harris Acres, all of which are described as “local parks” with walkway access only, and led a discussion on the possible takeover of Panorama Village Open Space. If taken over, College Township would maintain the open space and make sure it was safe, inspecting equipment and making repairs, mowing the lower area, and maintaining vegetative growth. The open space would require a signed 9-1-1 address; however, staff did not recommend a park sign for this open space.

Council comments included 1) inquiring into the party who would maintain the access road; and 2) supporting the Township’s taking over the open space but stressed that all correct legal steps to taking over the property should be followed prior to maintaining it.

Mr. and Mrs. Dan Kerstetter, 123 Villa Crest Drive, thanked staff for the review and offered support for the Township’s takeover of the open space.

Ms. Jean Slear, 124 Maple Lane, offered support for the takeover of the open space, as long as there was no interference with her adjacent private property.

**Mr. Klees moved to authorize staff to work with the Township Solicitor in moving forward on the quit claim process and to investigate the adjoining property owners' interests in allowing the Township to acquire ownership of the Open Space in Panorama Village.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

OB-1 Ordinance O-12-09, Campus Signs (reconvened)

Chair Fryer reconvened Council's consideration of OB-1, Ordinance O-12-09, Campus Signs, and Mr. Adam Brumbaugh, Township Manager, suggested that Council should feel comfortable with moving forward on taking action on the subject ordinance with a de minimis correction, as discussed previously.

**Mr. Klees moved to adopt Ordinance O-12-09, Campus Signs, to amend the Township Code by revising Chapter 170, Signs, to allow for additional signage in and around large developments classified as a campus, with presented correction.
Dr. Remick seconded the motion.
Motion carried unanimously.**

OB-3 Ordinance O-12-12, Residential Rental Modification Ordinance; Comments and Remand to Planning Commission

Mr. Mark Holdren, CRPA Sr. Planner, provided an overview of proposed Ordinance O-12-12, Residential Rental Modification, stating that this would amend the College Township Code by amending Chapter 160, Residential Rentals, to modify parking requirements and submission requirements. The intent of this ordinance amendment is to simplify the requirements for obtaining a residential rental permit and separate zoning requirements from those requirements necessary for obtaining a residential rental permit. The ordinance would eliminate the need to bring off-street parking into compliance with current standards at the of time rental application, due to the presumption that each dwelling in College Township would already have the proper amount of off-street parking required at the time of construction and/or renovation. The ordinance would also eliminate the need to renew the rental permit annually with the Township (owners of rentals would still need to renew annually with Centre Region Code Administration) and would reduce some of the rental application requirements.

Council discussed what constituted a 'change of use' before taking action.

Mr. Klees moved to remand Ordinance O-12-12, Residential Rental Modification Ordinance, to Planning Commission for review and comment.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

OB-4 Ordinance O-12-13, Off-Street Parking and Vehicle Access; Comments and Remand to Planning Commission

Mr. Mark Holdren, CRPA Sr. Planner, provided an overview of proposed Ordinance O-12-13, Off-Street Parking and Vehicle Access, stating that this would amend the College Township Code by amending the Off-Street Parking and Vehicle Access requirements to provide greater flexibility to individual homeowners in terms of design of their driveways/parking areas. The intent of this ordinance would be to amend the subject sections of the Zoning Ordinance to provide greater flexibility in permitting off-street parking at certain types of residential uses by redefining the dimensions and permitted locations of individual parking spaces at single-family homes and individual duplex or townhome units. The ordinance would further intend to limit the width of access points along roads for residential uses as well as provide the ability for driveways accessing non-residential uses to be designed and built in accordance with the amount and type of traffic that will be accessing the development.

Council offered comments on the reduced parking, parking overhang areas, and made editorial revisions before taking action.

Mr. Klees moved to remand Ordinance O-12-13, Off-Street Parking and Vehicle Access, to Planning Commission for review and comment, as revised.

Mr. Koll seconded the motion.

Motion carried unanimously.

NEW BUSINESS:

NB-1 Keller Engineers Amended Services – Pike Street Traffic-Calming Project

Mr. Kent Baker, Township Engineer, presented the September 7, 2012, Proposal of Service from Keller Engineers for what is being called the *Additional Masterplanning Pike Street Enhancement Project*. Additional services for this project include additional survey work along Pike Street, East Branch Road, and Cherry Alley. It also includes additional masterplanning for the streetscape enhancement and parking, as well as coordination with PennDOT and for Council meeting presentations. Keller Engineers proposed the annotated additional services for a price of \$14,400 for the survey and masterplanning work and an estimate of up to \$4,000 for coordination, including preliminary traffic study work, if needed.

Mr. Baker recommended Council approve Keller's proposal of service in an amount not to exceed \$18,400.

**Dr. Remick moved to approve the agreement with Keller Engineers for the Proposal of Service – Additional Masterplanning Pike Street Enhancement Project in an amount not to exceed \$18,400.
Mr. Klees seconded the motion.
Motion carried unanimously.**

NB-2 Ordinance O-12-11; Repeal of Chapter 18, Cable Television – Adoption of

Mr. Adam Brumbaugh, Township Manager, presented clean-up Ordinance O-12-11, which would repeal Chapter 18, Cable Television. Chapter 18 has been superseded by Chapter 86, Cable Systems.

**Dr. Remick moved to adopt Ordinance O-12-11, Repeal of Chapter 18, Cable Television.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

STAFF AND ABC INFORMATIVES:

Council offered no comments on Staff and ABC Informatives.

COUNCIL/STAFF OTHER MATTERS:

1. Mr. Brumbaugh presented Cohen Law Group's proposed agreement to review and offer comment on the Township's Right-of-Way (ROW). Ferguson and College Townships requested a proposal from the Cohen Law Group to review the draft ROW ordinance prepared by State College Borough's cable attorney. The fee for services is \$200 per hour with estimation that the project will take eight to ten total attorney hours. Mr. Brumbaugh requested Council's authorization of this agreement for services. College Township's cost of this project is anticipated to be approximately \$2,000.

**Mr. Koll moved to authorize the Chair to execute the Cohen Law Group Draft Right-of-Way Ordinance Review Agreement, as presented.
Dr. Remick seconded the motion.
Motion carried unanimously.**

2. Ms. Shoemaker advised that the Centre County Association of Township Officials (CCATO) would hold its Fall Dinner Convention on October 30, 2012. Staff should be advised of Council members' intent to attend.
3. Ms. Shoemaker inquired into buffer area tree-removal activity at The Retreat at State College, at the west of South Hills. Staff advised that adjacent neighbors had been encroaching onto The Retreat property and was properly cleared by the developer. The 20-foot buffer area remains intact and uncleared.
4. Mr. Klees noted some paving work discrepancy on E. Branch Road. Staff advised that the road crew put on the top lift a bit too soon, while the asphalt was too warm. This is in the process of being corrected.
5. Regarding previous meeting comments on construction vehicles attempting to use Brandywine Drive while servicing the next phase of development at Canterbury Crossing, Dr. Remick suggested that a sign be erected on Brandywine Drive that states "no construction vehicles beyond this point".
6. Chair Fryer inquired into the next phase of the Dale Street Reservoir project, and staff responded that the liner will be installed in the next few weeks.

COMMITTEE REPORTS:

Finance Committee, September 11, 2012: Ms. Shoemaker reported that members of the COG Finance Committee 1) received a presentation from Mr. Chris Gibbons, Concord Public Finance, regarding the refinancing of the COG parks pool loan; 2) reviewed the COG Capital Improvement Program (CIP) for 2013 – 2017; 3) heard a review by State College Borough on their pension plan; and 4) began preparations for COG budget hearings.

Joint Meeting of the Centre Regional Parks and Recreation Authority and COG Parks Capital Committee; September 13, 2012: Mr. Klees reported that this joint meeting reviewed the bids received for the Oak Hall Regional Park development, and the bids are approximately \$500,000 over for site work, plumbing, lighting, and HVAC. Subsequently, Mr. Pashek presented at a September 20th meeting the items that could be removed that could address that funding shortfall. Items could include the elimination of the fourth field at the Oak Hall Regional Park. Other options mentioned were fundraising and accepting an additional contribution from the hosting municipality, College Township.

Executive Committee, September 18, 2012: Chair Fryer reported that members of the Executive Committee 1) engaged in a spirited discussion regarding the Development of Regional Impacts (DRI) proposed procedures; and 2) reviewed items on the upcoming COG General Forum agenda.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the September 20, 2012, College Township Council Regular Meeting at 9:04 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary