

COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Thursday, October 6, 2016
7:00 PM, Following Public Hearing
1481 E. College Avenue, State College, Pennsylvania

ATTENDED BY:

COUNCIL: D. Richard Francke, Chair
Carla Stilson, Vice Chair
L. Eric Bernier
Steven Lyncha
Anthony Fragola

STAFF: Adam T. Brumbaugh, Township Manager/Secretary
Mark Gabrovsek, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

ABSENT: Kent N. Baker, Township Engineer

CALL TO ORDER:

Chair Francke called to order the October 6, 2016, Regular College Township Council Meeting at 7:00 PM, followed by the Pledge of Allegiance. Chair expressed appreciation to all of those who volunteered their time this date to the Centre County Day of Caring event.

PUBLIC OPEN DISCUSSION:

No *Public Open Discussion* matters were presented.

SPECIAL PRESENTATIONS:

SP-1 Resolution R-16-20, Recognition of Chief Tom King, Retired

Council members and staff offered their deepest thanks and appreciation to Chief Tom King, Ret., for his 35 years of service with the State College Police Department, and as Chief since 1993. College Township memorialized Chief King's years of service by taking action to approve Resolution R-16-20, planting a memory tree in a College Township park, and donating to the Centre County Law Enforcement's Camp Cadet in his name.

Chair Francke read the complete resolution prior to requesting a motion for its approval.

Mr. Lynch moved to approve Resolution R-16-20, Recognition of Chief Tom King in his retirement after 35 Years of Service with the State College Police Department and serving College Township; the donation in Chief King's name to the Centre County Club Cadet; and the planting of a memory tree in a College Township park of Chief King's choosing.

Ms. Stilson seconded the motion.

Motion carried unanimously.

Chief King received the framed resolution and offered his thanks for the time he was afforded in service to College Township and for the Township's donation to Camp Cadet.

SP-2 Regional Organics Recycling Program; Ms. Pam Adams

Ms. Pam Adams, Centre County Recycling and Refuse Authority (CCRRA) Administrator, offered a presentation to Council on the anticipated regional organics recycling program and requested Council's response to several questions on this topic.

Ms. Adams' presentation stressed that 1) about thirty percent (30%) of the material currently going to the landfill is compostable; 2) the potential exists to remove 3,600 tons per year of organic waste from the landfill; 3) a proposed organics recycling program in the region could be initiated utilizing the State College Borough Compost Facility; and 4) municipal feedback was being sought on moving forward with planning for a regional organics recycling program.

PLANS:

P-1 East Halls New Residence Halls Sketch Plan Presentation

Present for, and taking part in, the introduction of the East Halls New Residence Halls Sketch Plan were Mr. Rich O'Donald, PSU OPP Facilities Project Manager; Mr. John Sickles, DLAR Architects' Design Build Team; and Mr. Mark Saville, P.E., Sweetland Engineering. The subject sketch plan reflects renovations to existing halls and a new residence hall being located adjacent to Curtin Road and situated entirely in the Borough of State College. After submitting this as a preliminary plan to State College, it will be submitted to College Township as a preliminary/final plan.

In written correspondence to Council, dated Sept. 28, 2016, Mr. Kent Baker, Township Engineer, advised that, although the architect and engineer were present seeking comments on this sketch plan, no Council action was required at this time. Staff is performing a review of the plan in anticipation of its return as a preliminary/final plan.

Council and staff offered comments on 1) Subdistrict 5 plan details being inaccurate, which Mr. Saville agreed to discuss with Mr. Franson, Asst. Township Engineer; 2) potential for impacts along Rte. 26 due to flooding, to which Mr. Saville described the stormwater flow going toward Fox Hollow instead of toward Thompson Run; 3) the shortened timeline for this project. Mr.

Sickles confirmed that the changes to this plan's timeline would result in the development being shortened by two years, to be completed by around 2022.

No action was necessary on the part of Council.

P-2 Makdad Supply Preliminary/Final Land Development, Clyde Avenue

In written correspondence to Council, dated October 4, 2016, Mr. Baker reported that Makdad, an HVAC supply store, is proposing to demolish existing buildings at 2540 Clyde Avenue in order to construct a new building and parking stalls, along with stormwater management features. All prior staff comments were previously addressed, although the developer is requesting three stormwater waivers. Those waivers have been recommended for approval by College Township's reviewing engineer, Mr. Don Franson.

Mr. Steve Kirsch, P. E., Sweetland Engineering, presented the subject plan and highlighted the site's challenge with its lack of existing stormwater drainage on Clyde Avenue. The developer requested three stormwater waivers due to the site slopes and uncertain infiltration, all of which were supported by Mr. Franson. Staff recommended that two areas of fencing along the parking lot be installed.

Council 1) expressed some concern about the possible stormwater and infiltration insufficiencies, which Mr. Kirsch confirmed was the reason for building the rain garden twice the size of that needed; and 2) questioned how people would get to the front of the store with the fences installed, and Mr. Kirsch advised that there was an entrance in the back for the employees who would be parking there.

Ms. Haining Schoeneman, Planning Commissioner, explained PC's comments and asked if the developer could relocate the rain garden to the east. Mr. Kirsch advised that the developer made that modification to the plan by moving it 28 feet.

Mr. Lyncha moved to approve the Preliminary/Final Plan for Makdad Supply, dated August 18, 2016, last revised Sept. 8, 2016, with the following conditions:

- 1) Obtain all required signatures on the plan;**
- 2) Pay all outstanding plan review fees;**
- 3) Council agrees to the three (3) waivers on the stormwater management plan described in three separate waiver requests by Sweetland Engineering, all dated Sept. 17, 2016, and numbered 1, 2, and 3; and**
- 4) Relocate sidewalk a minimum of three (3) feet from existing water main.**

Ms. Stilson seconded the motion.

Motion carried unanimously.

REPORTS:

a. Manager's Update

Mr. Adam Brumbaugh, Township Manager, presented the October 6, 2016, Manager's Update, reporting that 1) staff met with DCED representatives in Harrisburg about the Pike Street Streetscape bid; 2) Harris and College Townships are working with PennDOT on a ribbon-cutting ceremony for the Warner Blvd. project; and 3) College Township received notice of an upcoming conference with Judge Ruest on the Cellco Verizon legal case.

b. COG Regional, County, and Liaison Reports

Public Services and Environmental Committee (PSEC): In response to Ms. Adams' survey questions on a proposed regional organics recycling program, Council consensus supported 1) all needed organics collection carts being owned by COG; 2) the use of carts for trash in the next contract; 3) all households being charged the same rate, with the organics program costs being rolled into that when appropriate; 4) extending the organics collection program to properties outside the Regional Growth Boundary (RGB); and, 5) not having an interim organics drop-off program but utilizing the Glenn O. Hawbaker facility instead.

Mr. Lynchca cautioned about the cost of specialized vehicles, although Council agreed that the counter balance would be fewer crew members being needed.

Finance Committee: Chair reported that the Finance Committee has already met twice to begin the 2017 COG budget review process. The Committee also discussed 1) upgrading a Schlow Centre Region Library IT position to full time to aid in handling online book orders; and, 2) merit and COLA adjustments.

Mr. Brumbaugh stated that COG has not been using the appropriate method for calculating CPI and recommended that the Finance Committee revisit this.

Public Safety Committee, Sept. 13, 2016: Mr. Lynchca provided written comments reporting that the Public Safety Committee 1) determined that Code permit fees will remain unchanged at \$37; 2) discussed the Code fund balance analysis results that indicated keeping the multiplier at 0.0065 for 2017; 3) received responses to program plan comments from municipalities; and 4) received draft, detailed budgets from Code, Fire, and Emergency Management.

Transportation and Land Use (TLU) Committee, Sept. 12, 2016: Mr. Lynchca previously provided a written report stating that TLU received a presentation on adaptive traffic signal controls from Signal Control Products, Inc.; and, received a staff update on the Bicycle Friendly Community Designation renewal application.

Human Resources (HR) Committee, Oct. 5, 2016: Mr. Fragola reported that the HR Committee reviewed and approved a job description for the CRPA Planner position and discussed the Fair Labor Standards Act amendment that goes into effect on Dec. 1, 2016.

Centre County Metropolitan Planning Organization (CCMPO), Sep. 27, 2016: Mr. Bernier reported that the CCMPO reviewed the draft 2017 CCMPO budget; and, discussed potential projects for repurposed Centre County Transportation Improvement Program (TIP) funds. Mr. Bernier requested that Council offer comments/consensus on how best to use the additional TIP allocations.

c. Staff/Planning Commission/Other Committee Reports

Planning Commission (PC), Oct. 4, 2016: Ms. Haining Schoeneman reported that PC reviewed, and recommended for Council approval, the Burger King land development plan.

House Bill 950 of 2015: Mr. Brumbaugh reported that the subject house bill, now signed, allows motorists to drive through red lights, if they believe the traffic signal to be malfunctioning. This new law proves to be causing safety concerns at intersections such as E. College Avenue and Elmwood Street, where conditions have become more dangerous.

Mr. Francke announced the passing this date of Mr. John (Jack) D. Jenkins, former Council member, former member of the College Twp. Industrial Development Authority, and College Township's former representative on the Schlow Centre Region Library. Council and staff expressed their sorrow over Mr. Jenkins' passing and asked staff to extend the entire Township's sympathies to Mrs. Marilyn Jenkins.

CONSENT AGENDA:

CA-1 Minutes, Approval of

- a. Sept. 15, 2016, Public Hearing-1 on Ord. O-16-09 (WCF)
- b. Sept. 15, 2016, Public Hearing-2 on Ord. O-16-05 (Duplexes)
- c. Sept. 15, 2016, Regular Council Meeting
- d. Sept. 19, 2016, Special Council Meeting (CIP Review)

CA-2 Correspondence, Receipt of

- /1: Letter from Ms. Judi Sittler/Mr. Stu Silver, dtd Sep. 21, 2016, regarding Granite Lane
- /2: Letter from PennDOT, dtd Sept. 13, 2016, regarding Notice of Intent to Remediate, 60 Decibel Road Site
- /3: Letter from Halfmoon Twp., dtd Sept. 14, 2016, requesting letter of support for Autumn Meadow Park enhancements
- /4: Email from Mr. Ron Nargi, dtd Sept. 22, 2016, regarding biking hazard at University Dr. and Hastings Avenue
- /5: Letter from PennDOT, dtd Sep. 2016, regarding estimated allocation municipal liquid fuels and turnback
- /6: Letter from ClearWater Conservancy, dtd Sep. 20, 2016, regarding Land Trust accreditation
- /7: Letter to Mobilitie Intelligent Infrastructure, dtd Sep. 16, 2016, from Zoning Officer, regarding formal notice of denial, Dreibelbis Street

CA-3 Resolutions; Approval of

- a. R-16-19, 2017 CIP As A Planning Tool
- b. R-16-22, Stearns Crossing Phase 8, Speed Limit Signs on Pepperberry Lane

- c. R-16-23, Stearns Crossing Phase 8, Stop Sign on Pepperberry Lane
- d. R-16-24, Stearns Crossing Phase 8, No Parking Signs on Pepperberry Lane
- e. R-16-26, Stearns Crossing, Liquid Fuels Pepperberry Lane and Mountain Laurel Drive

CA-4 Policies; Approval of

- a. Policy P-014, Right To Refuse Work Due To Unsafe Conditions
- b. Policy P-015, Excavation Safety

CA-5 ABC Matters; Approval of

- a. Transfer appointment of Mr. Bill Sharp, current CTIDA Alt. Director, to the Unexpired Director Position on the CTIDA vacated by Mr. Edward McFadden, with term expiration of Dec. 31, 2016.

Ms. Stilson moved to approve the October 6, 2016, Consent Agenda, as presented.

Mr. Lynch seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-16-11, Wireless Communications Facilities

In written correspondence to Council, dated July 29, 2016, Mr. Mark Holdren, CRPA Sr. Planner, presented proposed Ordinance O-16-11, Wireless Communications Facilities (WCF). This proposed ordinance offers further revisions to the previous WCF Ordinance O-16-09, which was adopted by Council on September 15, 2016. Revisions include deleting definitions for "Wireless Support Structure" and replacing it with "Wireless Communications Tower;" adding a definition for "Alternative Wireless Communications Structure;" clarifying the meaning of "Substantial Change;" providing an exemption for business that have communications facilities (such as satellite dishes) for purposes of internal or business-to-business communications; and, revising the requirements for Tower-Based WCFs in the rights of way that demonstrate that there are no other streets of a higher classification within one-third of a mile of where a tower can be placed. Mr. Holdren described, and answered questions on, Cohen Law Group's comments relative to the proposed ordinance and subsequently requested Council's feedback on how to handle Cohen's suggested changes.

Chair led Council review of Cohen Law Group's six (6) comments, offering staff direction on 1) providing a copy of the adopted Ordinance O-16-09 to Cohen and requesting Cohen clarification on the modifications to the definition of Wireless Communications Tower relative to FCC's definition of "tower;" 2) removing the comment on line 298-300 on Non-Commercial Usage Exemption; 3) advising concurrence with Cohen comments; 4) and 5) concurring with Cohen recommendations; and 6) concurring with Cohen recommendation providing for applicants to proceed with either the conditional use process or the standard zoning/building permit process.

In response to staff inquiry relative to noise, Council directed staff to add language indicating that equipment must operate to manufacturer's specifications and to more clearly clarify, on line 665, the expectations for "...shall maintain the material..."

Mr. Holdren will send definition for Attached WCF and Tower-based WCF to Cohen Law Group for their review, although not the full ordinance. This matter will return to Council for the setting of a public hearing.

NEW BUSINESS:

No *New Business* was presented.

STAFF AND ABC INFORMATIVES:

No *Staff Informatives* were pulled for discussion.

OTHER MATTERS:

OM-1 Authorities, Boards, and Commissions Protocols; Discussion of

1. Chair requested Council procedural preferences on filling the CTIDA vacancy.
Council authorized the vacancy be sent out to all current ABC members and that the recently received ABC application for the CTIDA vacancy be sent to the CTIDA chair.
2. Both Ms. Stilson and Mr. Fragola stated that they would be unable to attend the October 20th Council Meeting.
3. Friday, October 14th is the College Township Appreciation Dinner at the Mountain View Country Club.

ADJOURNMENT:

Hearing of no additional business, Chair Francke called for a motion to adjourn. Mr. Lyncha offered a motion to adjourn, and Ms. Stilson seconded the motion. Chair adjourned the October 6, 2016, Council Regular Meeting at 10:29 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary