

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES
Thursday, October 20, 2011**

ATTENDED BY -

COUNCIL: David P. Fryer, Vice-Chair
Daniel D. Klees
David W. Koll
Forest J. Remick, Ph.D.

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
Linda Magro, Recording Secretary

ABSENT: Mary Shoemaker, Chair
Mary E. Wilson, Assistant Township Secretary

CALL TO ORDER

Vice-Chair David P. Fryer called to order the October 20, 2011, Regular Meeting of the College Township Council at 7:00 p.m. followed by the Pledge of Allegiance.

OPEN DISCUSSION:

None.

SPECIAL PRESENTATION:

SP-1 College Township Water Authority – Oak Hall Water Well

Mr. Brumbaugh, Township Manager, reported that the College Township Water Authority engaged the services of hydrogeologist Dr. Richard Parizek to begin the identification of future well locations that would be far removed from the location of CTWA's existing two wells at Spring Creek Park and Trout Road. Dr. Parizek was asked to consider the area on the other side of Mt. Nittany in the Oak Hall/Brush Valley area. He was asked to identify sites regardless of the municipal location.

Dr. Parizek was asked to identify four (4) or five (5) of the most promising wells out of 50 potential locations he found. He identified five (5) points inside the parameters of the proposed Oak Hall Regional Park.

Currently, CTWA is requesting permission (right of entry) from the property owner, COG, and/or operator of Oak Hall Regional Park, Centre Region Recreation Area, to enter the

property in order to complete a test well project. It is understood that it is incumbent upon CTWA completing the necessary test well work as soon as possible so not to delay the construction work related to the Oak Hall Regional Park project. CTWA personnel under the coordination of Entech Engineers have identified coordinates of the potential well sites. It appears that three out of the five well sites will have little to no impact on the amenities identified with the Oak Hall Regional Park. If one or more specific sites meet the required criteria, it is CTWA's intention to develop the well that has the least impact, if any, on the development of the park.

Mr. Brumbaugh presented this information to Council on an informational basis only.

MANAGER'S UPDATE:

Mr. Brumbaugh presented the October 20, 2011, Manager's Update, and advised that the South Ridge Plaza project, after some weather issues, is moving forward with the signal pole installation and paving of the new West Branch Road. The Sheetz is expected to open in December 2011.

Mr. Brumbaugh also wanted to add that The Retreat at State College PRD plan is surfacing and that he contacted several of the communities where The Retreat already exists for some input, etc. He heard back from Raleigh, North Carolina, where no work has commenced and no permits have been pulled, although the plan was approved; and Denton, Texas where it is still in the approval stages. He indicated that he will do a summary of his findings and present it when Council has the public hearing on November 17, 2011.

Mr. Brumbaugh reported that the East Branch Road water line upgrade work has been completed, and there was only some milling and repair work to be done on the road. Mr. Klees did express concern about the new hydrant at Hunter Avenue and East Branch Road as far as plowing is concerned as it seems to stick out. Mr. Brumbaugh indicated that if that becomes an issue it will be addressed by the road crew.

CONSENT AGENDA:

CA-1 Minutes:

- a. Sep. 20, 2011 Joint Council-PC Meeting
- b. Sep. 15, 2011 Regular Council Meeting

CA-2 Correspondence:

- /1: Letter from WPSU regarding School Closing Broadcast Info, dtd, Sep. 9, 2011.
- /2: Email from S. Herwehe, dtd Oct. 18, 2011, regarding Schlow Library Parking,
- /3: Email from D. Tomaso, dtd Oct. 12, 2011, regarding PSU Weather Service Funding.

Mr. Klees moved to accept the October 20, 2011, Consent Agenda.

Mr. Koll seconded the motion.

Motion carried unanimously (4-0).

OLD BUSINESS:

OB-1 2012 State College Borough Police Service Hours

Mr. Brumbaugh noted that at the October 6, 2011, Council Meeting, Council requested that the State College Borough Police Department provide a comparison of budgeted hours/hourly rates vs. actual hours/hourly rates. Mr. Long provided that historical data for Council's review and the manager proposed 260 hours per week for the calendar year 2012.

Mr. Klees moved to approve the acceptance of the proposed 260 police hours per week for 2012 as proposed by Chief of Police T. King.

Mr. Koll seconded the motion.

Motion carried unanimously (4-0).

NEW BUSINESS:

NB-1 Policy P-024, Township Health Insurance Opt-Out

Mr. Brumbaugh introduced Policy P-024, Township Health Insurance Opt-Out, and described its intent. With Council's approval, Policy P-024 would allow employees to opt out of insurance coverage in exchange for a set financial amount each year, if the party being opted out can prove they have insurance coverage through other avenues.

Following discussion, Council took the following action.

Mr. Koll moved to approve College Township Policy P-024, Township Health Insurance Opt-Out, as presented;

Mr. Klees seconded the motion.

Motion carried unanimously (4-0).

NB-2 Ordinance O-11-07, Earned Income Tax Enactment

Mr. Robert T. Long, Jr., Finance Director, advised that as a result of the enactment of Act 32 of 2008, Pennsylvania municipalities are required to adopt an Earned Income Tax Ordinance. In College Township, this ordinance would amend Chapter 184 of the Code of Ordinances to repeal Article III, Earned Income Tax, and to enact a new Article III levying a tax on earned income and net profits; requiring tax returns; requiring employers to withhold and remit tax; and including related provisions in accordance with the Local Tax Enabling Act, as amended and restated by Act 32 of 2008.

The ordinance would impose a tax for general revenue purposes at a rate of 1.00% on earned income and net profit of individual residents. This rate is subject to reduction by half, as long as the same tax is imposed by the State College Area School District. Mr. Long advised that, at ordinance adoption, the combined tax rate applicable to residents of College Township will be 1.45%; the same rate as currently exists. The ordinance will also impose a tax for general revenue purposes at the rate of 1.00% on earned income and net profits derived by

non-residents from work within College Township. The ordinance becomes effective on January 1, 2012; and, the tax will be collected by a collector appointed under Act 32. The estimated revenue to be derived from the tax during 2012 is \$1,200,000.

Mr. Long stated that this proposed ordinance was prepared by Kegel Kelin Almy & Grimm LLP on behalf of Centre County municipalities. Counsel advised that municipal governing bodies would need to set a public hearing for this ordinance before considering its adoption. In order to meet the stringent, legal time constraints, Mr. Long suggested November 17, 2011, as a date for that public hearing.

Mr. Klees moved to set a public hearing on Ordinance O-11-07, Earned Income Tax, for November 17, 2011.
Mr. Koll seconded the motion.
Motion carried unanimously (4-0).

NB-3 College Township Rental Permits; Discussion

Mr. Mark Holdren, CRPA Sr. Planner, introduced College Township's current method of handling residential rentals, and, particularly, short-term rentals, such as over football weekends, before opening the discussion on how the Township may wish to manage or permit these currently unregulated rental events.

Mr. Koll suggested that this may be a project for Centre Region Planning to look at this as a work plan possibility since it is generally a regional issue and not just municipal. Staff was directed to return to Council with several examples of the impacts of the proposed rental regulations.

STAFF AND ABC INFORMATIVES:

Mr. Brumbaugh introduced the Trout Road Student Housing project with approximately 450 student beds.

Mr. Franek added that he had just received a phone call at the end of today regarding another student housing project – a high rise. No further details were available at this time.

OTHER MATTERS:

1. Mr. Baker presented the new signal/right turn lane project at the Mt. Nittany Elementary School. He indicated that an HOP was needed and that College Township was rendered the permittee by PennDOT, thereby requiring the Township to obtain a Letter of Credit and Verification of Insurance. Documentation was provided to Vice-Chair Fryer for signature relative to the LOC from First National Bank upon approval by Council.

Mr. Koll moved to approve and authorize the Chair of Council to sign a Standby Letter of Credit Agreement and related documents with the First National Bank of Pennsylvania in order for a Letter of Credit to be posted for the State College Area School District (SCASD) project for the construction of a traffic signal and right turn lane at the intersection of Brandywine Drive and Warner Boulevard with related costs to be reimbursed by the SCASD.

Dr. Remick seconded the motion.

Motion carried unanimously (4-0).

2. Mr. Brumbaugh reported that the brush collection for October was completed.

COMMITTEE REPORTS:

Mr. Koll reported on the Public Safety Committee and that code fees would decrease with the exception of fire inspection fees.

Mr. Klees reported on the Parks Capital Committee (Meeting on October 13, 2011). He indicated that a new Parks Director was hired, James Carpenter out of Akron, Ohio.

Mr. Fryer reported on the Finance Meeting which was held on October 19, 2011. Following up on the budget issues, reduction in the parks budget was mandated. Capital would remain the same. Debt repayment of the parks is still under review. Next meeting of Finance Committee Meeting is November 8, 2011.

ADJOURNMENT:

Dr. Remick moved to adjourn the October 20, 2011, Regular College Township Council Meeting.

Mr. Koll seconded the motion.

Motion carried unanimously (4-0).

Vice-Chair Fryer adjourned the October 20, 2011, Regular Council Meeting at 8:52 p.m.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary