

COLLEGE TOWNSHIP COUNCIL
REGULAR COUNCIL MEETING MINUTES
Thursday, November 6, 2014

ATTENDED BY:

COUNCIL:

L. Eric Bernier, Chair
Mary C. Shoemaker, Vice-Chair
Lynn B. Herman
Carla Stilson
D. Richard Francke

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Robert T. Long, Jr., Finance Director
John J. Franek, Jr., Management Analyst
Michael W. Heath, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

CALL TO ORDER

Chair Bernier called to order the November 6, 2014, College Township Council Regular Meeting at 7:00 PM followed by the Pledge of Allegiance.

OPEN DISCUSSION:

No Open Discussion matters were forthcoming.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the November 6, 2014, Manager's Update, highlighting the following.

- A recommendation was received from the Centre Region Parks and Recreation Authority (CRPRA) to add Slab Cabin Park pavilions to the list of area park pavilions able to be reserved by the public. The Township's Parks and Recreation Committee (P&R) reviewed this matter and concurred with the CRPRA request, on a vote of 8 – 1, for inclusion of Slab Cabin Park's pavilions.

Ms. Shoemaker moved to notify CRPRA that College Township would like to include the upper and lower pavilions at Slab Cabin Park on the list of pavilions able to be reserved.

Mr. Herman seconded the motion.

Ms. Stilson inquired into the reason for the one dissenting P&R vote; and Mr. Baker, Township Engineer, advised that the one Committee member felt it preferable to allow park visitors to simply go to the park and use the pavilions.

Motion carried unanimously.

- Mr. Brumbaugh reported that the Pennsylvania Dept. of Environmental Protection (PA DEP) has offered to fund the tuition costs for Public Works staff member Mr. Jeff Coslo to attend Building Operator Certification (BOC) Level I courses. Mr. Coslo will begin this certification program coursework in mid-November.
- Referencing Incoming Correspondence-2 from the P&R Committee Chair, dated Oct. 21, 2014, Mr. Brumbaugh reported that the P&R Committee requested that a meeting be scheduled to discuss the improvement, maintenance, and usage of the Gordon D. Kissinger Meadow Open Space. This meeting is in the process of being scheduled.

Ms. Stilson suggested that an item be placed in the Township's newsletter advising residents of their new ability to reserve the Slab Cabin Park pavilions. Staff agreed to highlight this park matter in the Spring edition of *The Gateway*.

CONSENT AGENDA:

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| CA-1 Minutes: | October 16, 2014, Regular Council Meeting |
| CA-2 Correspondence: | /1: Letter from DCNR, dtd Oct. 10, 2014, regarding Spring Creek Park Inspection |
| | /2: Email from Mr. Alan Carothers, dtd Oct. 21, 2014, regarding Option 2, Everhart Tract |
| | /3: Letter from ClearWater Conservancy, dtd Oct. 17, 2014, regarding Thompson Woods Preserve Monitoring |
| | /4: Letter from Penn State, dtd Oct. 17, 2014, forwarding Impact Fees for September 2014 |
| | /5: Letter from C-NET, dtd Oct. 24, 2014, forwarding 2015 membership dues |
| | /6: Letter from Rep. K. Benninghoff, dtd Oct. 29, 2014, regarding SB 444, Right-To-Know Law Amendment. |

Council pulled items CA-2/1, CA-2/3, CA-2/4, and CA-2/6 for discussion.

Ms. Shoemaker moved to approve the November 6, 2014, Consent Agenda, minus CA-2/1, CA-2/3, CA-2/4, and CA-2/6.

Mr. Herman seconded the motion.

Motion carried unanimously.

CA-2/1: Ms. Shoemaker asked which parts of Spring Creek Park do not currently meet ADA standards; and Mr. Baker replied that the pathway from the parking lot to the future restrooms must be made ADA accessible, adding that the design work for the footbridge ramp will take place in the Fall.

CA-2/3: Ms. Stilson asked about the report on the trail that is taken down from the parking lot to Walnut Spring; and Mr. Baker advised that erosion at that location will require some mitigation, either by placement of a bar across the trail or allowing this to be a community service project.

CA-2/4: Mr. Herman requested background on the impact fees paid to the Township by Penn State University. Mr. Brumbaugh described the agreement that provides for the payment of a fee-in-lieu-of fee for non-Penn State and non-NCAA events. These funds assist in paying for required traffic controls. This agreement was recently renegotiated and covers similar events at Beaver Stadium and Pegula Ice Arena.

CA-2/6: Regarding any future Township communications to committee chairs on the Right-To-Know Law, Mr. Herman advised that new State House and Senate committee chairs would be identified at the beginning of the new session.

Mr. Francke moved to accept Consent Agenda items CA-2/1, CA-2/3, CA-2/4, and CA-2/6.

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Police Service Hours for 2015; Approval of

At the October 16, 2014, Regular Council Meeting, Chief T. King presented his recommendations for the 2015 Police Services Contract, which reflected 262 total weekly police service hours for 2015. The hourly rate for regular contracted hours of service would be \$104.44; and \$126.97 for all hours in excess of the regularly contracted hours. This latter rate reflects all departmental overhead and indirect costs of providing police service.

Ms. Stilson moved to accept the 2015 contract for police services for a total of 262 total weekly police service hours at an hourly rate for regular contracted hours of \$104.44 and \$126.97 for all hours in excess of the regularly contracted hours.

Ms. Shoemaker seconded the motion.

In response to Council inquiry, staff advised that the State College Borough reviews the Police Department's annual budget.

Motion carried unanimously.

NEW BUSINESS:

NB-1 Houserville Road Sidewalk Project

Mr. Michael Pratt, P. E., Keller Engineers, presented the following three concept plans and recommendations on a shared-use (pedestrian/bike) corridor from Spring Creek Park Road (T-767) along Houserville Road (SR 3011) to the intersection with E. College Avenue (SR 26):

- Option 1 – Upper Alignment/Shoulder Widening/Embankment Fill;
- Option 2 – Upper Alignment/Curb and Sidewalk/Embankment Fill; and
- Option 3 – Lower Alignment/At-Grade.

Council comments included costs of each option; desire to provide increased safety and improved transportation options; feasibility of pier arrangement; phasing by performing the design and engineering portion and delaying construction until funding is identified; possibly having a shovel-ready project on hand; possible need for a riparian buffer; and impacts to/of the area floodplain.

Mr. Baker highlighted the short- and long-term maintenance costs, adding this sidewalk to the Township's snow removal program. Mr. Baker stated that College Township could arrange for additional survey work and several meetings with PennDOT and the PA DEP on any of the three options. Staff will negotiate with Keller Engineers for an estimated fee for design and engineering work and return same to Council for discussion. Council concurred. Keller Engineers will continue to move forward, as stated.

Mr. Ed Ciolkosz, Old Mill Road, offered his support for this project, adding that the safety of pedestrians and bikers was important.

This matter will return to Council at a future meeting.

NB-2 Trout Rd. and Dreibelbis St. Sidewalk; Layout, Cost, and Right of Way

In correspondence to Council, dated November 3, 2014, Mr. Baker, Township Engineer, introduced drawings and cost estimates prepared by Keller Engineers for the Dreibelbis Street Sidewalk and the Trout Road Shared-Use Path projects. The proposed Dreibelbis Street Project reflected a five-foot-wide sidewalk connection from the existing bikepath to the striped lanes on Gerald Street. The proposed Trout Road project proposed to continue the bike path design that was constructed as part of The Villas at Happy Valley development.

Mr. Michael Pratt, P. E., Keller Engineers, stated that the estimated construction costs for the projects would be approximately \$130,000 for the Trout Rd. Project and \$50,000 for the Dreibelbis St. Project and added that this would improve stormwater conditions in the area.

Council offered comments on sources of possible funding; impacts to mailboxes along Dreibelbis Street; location of the proposed sidewalks being too close to the roadway; participation in winter path maintenance, understanding that snow plows would be depositing snow from the roadways onto the adjacent path; and stormwater management.

Mr. Don Widener, Shamrock Avenue asked whether or not potentially impacted property owners were aware of these proposed projects. Mr. Baker replied that the property owners were aware of the project but not of the specific design. Official notification would occur once Council members gave their support for the projects and their direction on how to proceed.

Ms. Kathleen Kunes, Shamrock Avenue, inquired into how impacted residents were to know that this matter was on the agenda. Staff advised that property owners knew that these projects are being considered and will now be advised on the specifics.

NB-3 Proposed 2015 CRCOG Budget; Review and Comment

On October 27, 2014, the Centre Region Council of Governments' (CRCOG) General Forum members referred the 2015 COG Summary Budget to the municipalities for consideration and comments. Messrs. J. Steff, CRCOG Executive Director, and Joseph Viglione, CRCOG Finance Director, were present to address any Council comments or questions.

Following their discussion, Council offered the following comments and directed staff to forward the same to the CRCOG Executive Director.

- Council voiced some trepidation over the proposal for a Code fee reduction pertaining to pre-manufactured structures. Nevertheless, Council expressed confidence that, should the fee reduction prove insufficient to cover the cost of CRCA inspections, the fee structure would be re-visited as soon as practicable.

- CRCOG should continue to pursue the development of a fund balance policy for the various CRCOG funds and department budgets. It was noted that there is a combined fund balance in the CRCOG budget to start 2015 of over \$10,000,000. A prudent policy should be developed and implemented as soon as possible.
- Council has requested that an analysis of 2014 budget to actual expenditures be completed as soon as possible, in calendar year 2015, to assist in proper financial planning for future-year budgets.

NB-4 Ordinance O-14-19, Industrial and Commercial Zoning Amendment

In written correspondence to Council, dated November 3, 2014, Mr. Mark Holdren, CRPA Sr. Planner, presented proposed Ordinance O-14-19, Amendments to the Industrial and Commercial Districts. The ordinance proposes to amend the College Township Code by amending Chapter 200, Zoning, to redefine “Manufacturing” and “Office Uses” to provide consistency among land use terminology and to provide consistency among permitted uses in the Industrial and Commercial Zoning Districts. Mr. Holdren stated that, under this amended ordinance, the Gateway Commercial Zoning District would allow ambulance, fire, and police service uses. Staff advised that, pending Council’s support, this could be remanded to Planning Commission.

Council offered comments on the maximum acreage limit; master plan not having expirations; restructuring of §200-33A.; indoor facilities; Planned Research and Business Development (PRBD); change to VA Clinic’s non-conforming status under this ordinance; and the need to remove two “See Note” wordings on Page 9 of the proposed ordinance.

Mr. Francke moved to remand to the Planning Commission proposed Ordinance O-14-19, Industrial and Commercial Zoning Amendment, as amended.
Ms. Stilson seconded the motion.
Motion carried unanimously.

Ms. Kathleen Kunes, Shamrock Avenue, inquired about the inclusion of the Gateway Commercial and stated that the title of this matter on the agenda itself (missing the words “...and Commercial...”) may not have been sufficient to garner the attention of residents who might otherwise have wanted to attend.

Mr. Holdren advised that, after PC’s review, this ordinance would return to Council for comment and possibly for the setting of a public hearing date. Mr. Holdren clarified that there is a separate, proposed ordinance impacting the building heights in the Gateway Commercial Zoning District coming to Planning Commission on November 18.

NB-5 College Township Year-To-Date Finance Report

Mr. Robert T. Long, Jr., Finance Director, presented the Year-To-Date Finance Report, describing the 2015 College Township Budget process; end-of-year fund balance analysis; major items resulting in year-end fund balance differentials; real estate tax revenues with \$438,000,000 in assessed value. For reference, Mr. Long advised that one mill of tax equals \$429,240.

Mr. Brumbaugh, Township Manager, advised that, as during last year's budget review, budgeting for 2015 is proving to be particularly challenging. Council will hold a Special Meeting to review the Proposed 2015 College Township Budget.

NB-6 Brush and Leaf Collection

Mr. John J. Franek, Jr., Management Analyst, advised that, in 2009, College Township participated in the regional solid waste program via the adoption of a regionally prepared solid waste ordinance. Unfortunately, the text of that ordinance unintentionally removed the once-existing enforcement powers that allowed College Township to address violations relative to leaf and brush waste and grass clippings. To remedy this, Mr. Franek offered proposed Ordinance O-14-15, Regulations for Separation and Collection of Leaf Waste, Brush Waste, and Grass Clippings, and Resolution R-14-17, approving penalties for the same.

a. Ordinance O-14-15; Regulations for Separation and Collection of Leaf Waste, Brush Waste, and Grass Clippings

Ordinance O-14-15 would amend College Township Code, Chapter 172, Solid Waste, by reestablishing regulations for leaf and brush waste and grass clippings. Following Mr. Franek's presentation, Mr. Brumbaugh explained that, in order to meet the permitting requirements of the Municipal Separate Storm Sewer (MS4) Program, College Township must reduce the amount of leaves that are getting into the Township's storm drains.

Ms. Kathleen Kunes, Shamrock Avenue, read aloud College Township's warning letter, stating that residents who received the warning letter were upset by the tone of the letter. Ms. Kunes suggested that residents should be told when their specific streets are going to be collected.

Council commented they received a sample of the door hanger but not a sample of the warning letter, and directed staff to soften the tone of the warning letter. Council offered minor, clarifying language revisions before taking action on this proposed Ordinance.

Ms. Shoemaker moved to advertise Ordinance O-14-15, as amended, and to set a public hearing for November 20, 2014.

Ms. Stilson seconded the motion.

Motion carried unanimously.

b. Resolution R-14-17; Leaf, Brush, and Grass Clippings Penalties

Pursuant to Chapter 172, Solid Waste, Article III, Separation and Collection of Leaf Waste, Brush Waste, and Grass Clippings, Resolution R-14-17, would set the penalties at \$25.00.

This resolution will return to Council for approval following Council's adoption of Ordinance O-14-15 on November 20, 2014.

NB-7 Shiloh Road Drainage; Discussion

In written communication to Council, dated October 30, 2014, Mr. Brumbaugh advised that Dr. Gerald Clair owns approximately 38 acres of Agriculture-zoned land near Shiloh and Trout Roads, which is a long-term, natural drainage way. Stormwater problems have developed on this property, partially as a result of nearby property development and roadwork activities. Additionally, the development of the College Township Water Authority's (CTWA) production well on Trout Road, a number of sinkholes have opened up on Dr. Clair's property. These sinkholes were repaired by either College Township or the CTWA. Following a study performed by Keller Engineers, several possible remedies were suggested that would pipe the stormwater through the Clair site to an outfall structure. The estimated cost of this construction ranged from \$340,000 to just under \$600,000.

Dr. Clair has approached College Township and the CTWA with a proposal whereby the Township and/or CTWA would purchase the pipe for the project for installation by a contractor hired by Dr. Clair. Mr. Brumbaugh reported that, following consultation with the township solicitor on the legality of a public entity funding the cost of pipe for a project on private property, Atty. Louis Glantz did not feel that College Township could purchase the pipe for installation by others, as it would appear to be attempting to avoid proceeding under prevailing wage requirements.

Mr. Brumbaugh stated that College Township and the CTWA have had meetings with the PA DEP, USDA, Fish and Boat Commission, and PennDOT, but this matter remains unresolved.

No Council action required at this time.

STAFF AND ABC INFORMATIVES:

No *Staff and ABC Informatives* were provided.

COUNCIL/STAFF OTHER MATTERS:

1. Staff reported that they are working on developing requests for proposals (RFPs) for professional services for 2015, as directed at the 2014 Council Reorganization Meeting. This will come before Council in late December.

COMMITTEE REPORTS:

Executive Committee, October 21, 2014: Chair Bernier reported that the Executive Committee met to set the agenda for the October General Forum Meeting.

ADJOURNMENT:

Hearing no other matters for discussion, Chair Bernier called for a motion to adjourn.

**Mr. Francke moved to adjourn the November 6, 2014,
Regular Council Meeting.**

Ms. Shoemaker seconded the motion.

Motion carried unanimously.

Chair Bernier adjourned the November 6, 2014, Regular Meeting of the College Township Council at 10:55 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary