

**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES**

**Thursday, November 19, 2015
1481 E. College Avenue, State College, Pennsylvania**

ATTENDED BY:

COUNCIL:

L. Eric Bernier, Chair
Carla Stilson
D. Richard Francke, Council Member
William H. Sharp

STAFF:

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

ABSENT:

Lynn Herman, Vice-Chair

CALL TO ORDER:

Chair Bernier called to order the November 19, 2015, Regular College Township Council Meeting at 7:00 PM.

OPEN DISCUSSION:

No *Open Discussion* matters were presented.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, highlighted Item 15-02, UAJA Facility Odor Complaints, reporting that College Township is now aware that the odor study has now been completed and UAJA has received preliminary estimates of cost to address this matter. Those costs range from \$2,800,000 to \$31,800,000. A UAJA subcommittee will be evaluating options.

COMMITTEE REPORTS:

Joint Annual Meeting of Public Safety Committee and Public Services and Environmental Committee, November 10, 2015: Ms. Stilson and Mr. Sharp attended the subject joint meeting, which was also attended by representatives from the Pennsylvania Department of Transportation (PennDOT), public utilities companies, and representatives from fire, police, and emergency management services.

Parks Capital Committee, November 12, 2015: Ms. Stilson reported that, following discussion, Parks Capital forwarded to General Forum a modification (extension) of the Whitehall Road Regional Park loan and considered whether or not an alternative plan may be required due to the financial deadlines.

Finance Committee, November 13, 2015: Mr. Francke reported that the Finance Committee discussed each of the municipal comments on the proposed 2016 COG Budget, as well as staff responses. Based on comments, no budget adjustments were required, and the Committee forwarded the 2016 COG Budget to the General Forum for approval and to the municipalities for adoption by December 31, 2015.

Executive Committee, November 17, 2015: Chair Bernier reported that the Executive Committee set the agenda for the November 23rd General Forum Meeting.

Spring Creek Watershed Commission (SCWC) November 18, 2015: Mr. Sharp reported that the SCWC received an overview from Mr. Andrew Gutberlet, PSU Manager of Engineering Services, on the entire water cycle and Penn State's evolving use and management practices of each phase, as well as future projects. The Commission also received an update on the Spring Creek Watershed Atlas project.

College Township Industrial Development Authority (CTIDA), November 18, 2015: Mr. Sharp reported that the CTIDA's total assets are \$2,735,338; and net income YTD is \$30,203. The Committee finalized its new marketing brochure and authorized it for printing; discussed the pros and cons of offering grants to potential entrepreneurs; reviewed the criteria for filling CTIDA board vacancies; received a Council update; and presented the CTIDA Chair, Ms. Bonnie Spetzer, with a framed resolution of recognition from Council recognizing her 25 years on the CTIDA, wishing her well as she retires.

College Township Planning Commission (PC), November 17, 2015: Mr. Steven Lyncha, PC-Council Liaison, reported that PC reviewed four (4) plans at its recent meeting. The Maxwell Companies' plan and the PSU Utility Building plan were recommended for approval; and plans for Cintas and Keystone Church were tabled.

CONSENT AGENDA:

- CA-1** Minutes: November 9, 2015, Special Council Meeting; Approval of
- CA-2** Correspondence: /1: Letter from Mr. Steven Lyncha, dated Nov. 18, 2015, Resigning from College Twp. Planning Commission, Effective Dec. 31, 2015; Acceptance of
- /2: Thank you letter from Ms. Grayce Amick, rec'd Nov. 18, 2015, regarding removal of street light
- CA-3** Meeting Schedule: 2016 Council Meeting Schedule at 7 PM on first and third Thursdays (no July 7 meeting) and January 3, 2017, for its 2017 Reorganization Meeting; Approval of.

**Ms. Stilson moved to receive and approve the November 19, 2015, Consent Agenda, as presented.
Mr. Sharp seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

OB-1 Ordinance O-15-09, Wellhead Protection Overlay Zoning District; Adoption of

Following a duly advertised public hearing held this date, Council considered Ordinance O-15-09, Wellhead Protection Overlay Zone, for adoption. This ordinance proposes to amend the College Township Code by revising the boundaries of the Wellhead Protection Overlay Zoning District and revising the list of prohibited and limited uses in the District. The intent of this ordinance is to provide additional protections for the sources of public drinking water. This ordinance will expand the area of protection known as the Wellhead Protection Overlay District to include a greater distance around each public well, as well as nearby environmentally sensitive areas. Within this zone, certain land uses and activities that are deemed a potential threat to the public wells will be restricted.

In response to public hearing comments and inquiries, Mr. Holdren reported that on the following:

- “clean fill” is as defined by the Pennsylvania Department of Environmental Protection. The monitoring and enforcement of the use of clean fill, though, would be up to the Township.
- Additionally, stormwater would be handled as per the stormwater management plan established during land development.
- The 1,200-foot radius defining the wellhead protection zone was decided after consulting with the College Township Water Authority and its hydro geologist, Dr. Richard Parizek, as well as engineering consultants at Entech Engineering out of Reading, Pennsylvania. The 1,200-foot boundary was determined to be most sufficient to ensure the protection of groundwater going to the Rogers Well, and would cause no adverse impacts to other wellheads.

Staff provided confirmation that Mr. John Everhart’s property on West Branch Road would be grandfathered in and would continue to enjoy its current uses. None of the current uses would be impacted by this ordinance. Restrictions would come in to play should there be an attempt to put in a concentrated animal feed operation.

To clarify a question posed by Dr. Clair, Mr. Baker, Township Engineer, stated that this regulatory ordinance would ensure that there are no additional problems added to those currently being experienced on his property. The ordinance would not resolve any current drainage problems. However, development of the property will help solve Dr. Clair’s stormwater issues. Doing nothing will not resolve the current stormwater problem there.

Mr. Jim Everhart asked if a portion of his farm could be sold to buyers wishing to enjoy the same agricultural uses; and staff advised that the rights go with the land, not with the owners.

Mr. Sharp moved to adopt Ordinance O-15-09, Wellhead Protection Overlay Zone, amending the College Township Code by revising the boundaries of the Wellhead Protection Overlay Zoning District and the list of prohibited and limited uses in the District.

Ms. Stilson seconded the motion.

Mr. Francke recommended an amendment to the motion that would re-emphasize or clarify a concern expressed by Penn State University about their wells not being included. Mr. Francke suggested that written comments received from Centre Regional Planning Commission, etc. be remanded to the College Township Planning Commission in consideration of any additional revisions that may be appropriate to recommend back to Council.

Mr. Sharp offered the stated amendment to the motion, adding: "...and move to include adding on Page 2(b): 'This does not include any wells on the Penn State University property.'"

Ms. Stilson accepted and seconded the full, amended motion. Motion carried unanimously.

Mr. Francke moved to remand to the College Township Planning Commission written comments on this ordinance from Centre Regional Planning Commission and the State College Borough Water Authority.

Ms. Stilson seconded the motion. Motion carried unanimously.

OB-2 Ordinance O-15-10, Amendment to College Township Official Map; Adoption of

Mr. Mark Holdren, CRPA Sr. Planner, explained that the lines depicted on the Official Map are not set in stone and can be changed at the time of land development. The Official Map simply shows what the intent is regarding anticipated connectivity.

Mr. Francke moved to adopt Ordinance O-15-10, Amendment to the College Township Official Map.

Mr. Sharp seconded the motion.

Motion carried unanimously.

OB-3 Ordinance O-15-11, Shiloh Road Area Rezoning; Adoption of

Mr. Francke moved to adopt Ordinance O-15-11, Shiloh Road Area Rezoning.

Mr. Sharp seconded the motion.

Mr. Brumbaugh stated that staff received correspondence this evening from Mr. Cory Miller, Executive Director of the University Area Joint Authority (UAJA), with cost information on resolving the sewer treatment plant odor issue. It states that, following the odor management study, the draft report indicated that UAJA will need to spend between \$4,000,000 and \$11,000,000 to adequately contain odors from the plant. The letter from the UAJA, dated November 19, 2015, also re-emphasized that development downwind of the treatment plant would result in increased odor complaints; again suggested that Council consider rezoning the Shiloh Road area to Industrial; and, recommended the Shiloh Road Area Rezoning matter be tabled pending the completion of a cost benefit analysis.

Mr. Miller cautioned Council that any developers requiring connectivity to sewer service would be assuming high costs for those new connections.

Council 1) noted that the odor problem exists currently, without any rezoning, and stressed that UAJA needed to revolve it; 2) inquired about the cost differences between the \$4M and \$11M that came from the UAJA Board meeting on November 18; 3) discussed CRPC's request that the Township consider allowing residential units over commercial uses to provide more of a mixed-use development, noting that it may help with alternative transportation options for future residents. Council expressed a desire to see something more than incentives to encourage developers to include workforce housing on their plans, something more mandatory, and considered remanding this back to PC for review.

Chair Bernier called the question.

Motion carried unanimously.

Mr. Francke moved to remand to PC for evaluation and recommendation CRPC's Comment #3 in their letter, dated November 6, 2015, on Shiloh Road Rezoning, regarding consideration of residential units over commercial uses to provide more of a mixed-use development.

Ms. Stilson seconded the motion.

Motion carried unanimously.

OB-4 Centre Region Bike Plan; Review and Comment

Ms. Trish Meek, CRPA Transportation Planner, returned to Council to receive College Township's official comments on the *Draft Centre Region Bike Plan*.

Following discussion, by consensus, Council offered the following official comments.

- Penn State University should take an active/lead role in the continuous education of bikers; municipalities should not shoulder the entirety of the burden for education the bike riding public.
- It was noted that assigning a cost factor (high/moderate/low) to the recommendations for engineering, education, encouragement, enforcement and evaluation tables identified in the Executive Summary would be helpful for elected officials in making funding decisions.

- The Plan itself should be considered a “living document” and, as such, should be updated and kept current going forward.
- Municipalities should be encouraged to incorporate bike plan recommendations into their individual official map modifications.

OB-5 Ordinance O-16-01, Heritage Trees; Discussion of

Mr. Mark Holdren, CRPA Sr. Planner, presented a final revision of the proposed Ordinance O-16-01, Heritage Trees, which has been scheduled for a January 21, 2016, public hearing. The revisions incorporated into the proposed ordinance going to public hearing include revising the minimum size of a “Heritage Tree” to only 40 inches and adding an allowance on page 3 to consider designating smaller trees as a Heritage Tree if documentation is presented proving its age is 75 years or older; and to include a Township reimbursement for deed recording fees.

No Council action was required. This will be reviewed by PC and CRPC prior to the January 21, 2016, public hearing.

NEW BUSINESS:

NB-1 College Township Third Quarter 2015 Finance Report

Mr. Robert T. Long, Jr., Finance Director, provided Projected Year-End Fund Balance Projections; Significant Budgeted vs. Projected Differences; Capital Improvement Plan (CIP) and 2016 Budget Timeframe; and a view of the updated, online Financial Dashboard. College Township 2015 budget projections reflected a year-end fund balance of \$1,511,000, and current projections are showing that number to increase to \$1,946,000, an increase of \$435,000. This increase is due to revenues coming in above budgeted amounts and expenditures being lower than budgeted.

Council appreciated seeing that the budgeted, 2015 8.1% fund balance, approved to avoid a 2015 millage increase, will end up being in the GFOA-preferred 10% range.

No Council action was required.

NB-2 College Township Proposed 2016 Budget; Approval of and Set Public Hearing

Mr. Brumbaugh, Township Manager, presented an overview of the Proposed 2016 College Township Budget, which reflects an overall budget total of \$11,400,000.

<u>Category</u>	<u>Amount</u>	<u>Percent of Total</u>
Police Protection	\$1,500,000	13.2%
Debt Service	\$ 565,000	4.9%
Capital Projects	\$4,500,000	39.5%

<u>Category</u>	<u>Amount</u>	<u>Percent of Total</u>
Regional Services	\$1,200,000	10.5%
Personnel Support	\$1,900,000	16.7%
All Other Spending*	\$1,700,000	15.2%.
(*I.T., Utilities, Insurance, etc.)		

2016 Budget Highlights:

- A .5 mill tax increase, from 4.9 mills to 5.4 mills, is required for 2016, which equates, on average, to a \$38 per year tax increase and provides a total of \$216,000 in property tax revenue for College Township.
- The value of College Township properties exempt from property taxes is \$158,000,000 (or 24% of Township property), which equates to a \$853,000 loss in property tax revenues.
- Expected borrowing of \$2,000,000 will finance projects with useful lives exceeding 20 years.

Mr. Brumbaugh stated that the tax rate will be increasing by .5 mills, setting the total property tax millage for 2016 at 5.40 mills. Mr. Brumbaugh noted that, if property taxes were the only source of revenue to support the Township's operations, the millage would go from 5.40 mills to 24 mills and would increase the average household's tax liability from approximately \$410 per year to \$1,824 per year. Fortunately, there are other revenue options available to Pennsylvania municipalities that help in keeping the millage low.

Council advised that \$1,000 previously identified for the Thompson Woods Preserve signage improvements is not reflected in the revised budget sheets, although it is in the narrative. Staff will correct this. In N35, MS4, \$500 was removed from the notes. Mr. Long advised that the narrative will be put back in to correct this error.

Ms. Stilson moved to approve the Proposed 2016 College Township Budget with the noted amendments of \$1,000 for Parks and Rec and set a public hearing for December 17, 2015.

Mr. Sharp seconded the motion.

Motion carried unanimously.

STAFF INFORMATIVES:

Council requested that staff add the Engineering Department's land development plan update memorandum into future Staff Informatives.

OTHER MATTERS:

1. Mr. Long announced the retirement of the Finance Department's Accounting Assistant Ms. Lucy Beman, who is moving to Florida.

2. Chair Bernier announced that General Forum will be held at the College Township Building. Messrs. Bernier, Sharp, and Herman would likely not be able to attend that meeting. In case Council does not have a quorum, and should there be a unit vote, Council took the following action.

Mr. Sharp moved to authorize the attending Council members to vote on their behalf to support the three recommended motions as detailed in the General Forum agenda: Regional Parks Loan Modification, Storage Area for CRCA and Fire Equipment, and the Proposal Fire Safety Trailer.

Chair Bernier seconded the motion.

Motion carried unanimously.

ADJOURNMENT:

Hearing of no additional business, Chair Bernier called for a motion to adjourn; and Ms. Stilson so moved.

Chair Bernier adjourned the November 19, 2015, Regular Council Meeting at 9:25 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary