

**COLLEGE TOWNSHIP REGULAR  
COUNCIL MEETING MINUTES  
Thursday, December 15, 2011**

**ATTENDED BY -**

**COUNCIL:**

Mary C. Shoemaker, Chair  
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 (delayed arrival)  
John J. Franek, Jr., Zoning Officer  
Mark Holdren, CRPA Sr. Planner  
Mary. E. Wilson, Assistant Township Secretary

**CALL TO ORDER**

Chair Shoemaker called to order the December 15, 2011, Regular Meeting of the College Township Council at 7:09 p.m. following two public hearings.

**ANNOUNCEMENT:**

Chair Shoemaker announced that Council met in executive session immediately prior to this meeting to discuss a personnel matter.

**OPEN DISCUSSION:**

None.

**MANAGER'S UPDATE:**

Mr. Brumbaugh presented the December 15, 2011, Manager's Update highlighting recent investigative activity regarding potential new water wells at the Oak Hall Regional Park.

In response to Council inquiry, staff advised that the new signal on S. Atherton Street at the new Sheetz store should be in synch with other signals on that roadway by the end of next week. The developers anticipate that the Sheetz store will open for business over the holidays.

**CONSENT AGENDA:**

- CA-1** Minutes: a. Dec. 1, 2011, Regular Council Meeting
- CA-2** Correspondence: /1: Letter from Juniata Valley Bank, dtd Nov. 22, 2011, regarding future Township banking needs.
- /2: Email from Mr. Andy Mast, dtd Dec. 1, 2011, opposing the proposed Villas At Happy Valley plan.
- /3: Email from T. Shutes, dtd Dec. 1, 2011, opposing the proposed Villas at Happy Valley plan.
- /4: Email from S. Brodie, dtd Dec. 1, 2011, opposing the proposed Villas at Happy Valley plan.
- /5: Letter from Penn Terra Engineering, dtd Dec. 6, 2011, requesting a 60-day time extension for Stocker Subaru Dealership and Stocker Chevrolet Site Improvements Final land Development Plan.

**Mr. Klees moved to accept the December 15, 2011, Consent Agenda, as presented.**  
**Dr. Remick seconded the motion.**  
**Motion carried unanimously.**

**OLD BUSINESS:**

**OB-1 Canterbury Crossing Phase I Sidewalks**

Mr. Baker, Township Engineer, stated in written correspondence dated December 7, 2011, that Council approved a motion at their November 4, 2010, Regular Meeting requiring that the property owners of Phase I of Canterbury Crossing install five-foot-wide concrete sidewalks along their property frontage by November 1, 2013. Since that action, staff and Dr. Remick, Council member, have met with representatives of S&A Homes and several property owners to look at the best location to install the sidewalk, as well as looking at constraints associated with this project. Mr. Baker offered three options for Council's consideration and recommended that the fairest approach in cost sharing would be to have fourteen of the fifteen parcels share equally in the cost, noting that one property already has a completed sidewalk installed. Mr. Baker requested Council's direction to staff and property owners on how to proceed with this project.

Council offered comments on the three proposed options, and discussing whether or not to include or exclude Dover Circle. Council recommended that S&A Homes coordinate this project; the property owners draft a cooperative agreement for this work; and return that agreement to Council for comment.

Mr. James Serene, 150 Brandywine Drive, stated that having two sidewalks was more cosmetic than practical and felt it was unfair that there was no sidewalk between Boalsburg and Hills Plaza other than the bikepath, yet Canterbury Crossing property owners were required to have two sidewalks installed.

Mr. Dean Snow, 204 Brandywine Drive, inquired about who would be responsible for snow removal from any sidewalk installed across the eyebrow of Dover Circle. Mr. Snow recommended that Council seek legal counsel because he felt that complications existed that were not being addressed. Mr. Snow highlighted this requirement not being a good plan, the possibility of property owners being assessed more than once if a sidewalk needed to be lifted to access utilities below, and recommended that a sidewalk be built that would continue to the park.

Staff explained that the Township could process the installation of required sidewalks under minor plan requirements and added that it was staff and S&A Homes, not Council, who developed the options being considered. Council's prior vote was in support of getting sidewalks in, as per the requirements of the plan. Staff wanted to make it a little easier for the entire group to accomplish this.

Mr. Rick Fortney, 314 Dover Circle, commented on the expense per foot of sidewalk and compared the cost to the value of the benefit of that sidewalk installation. Mr. Fortney suggested that Option 1 offered a viable alternative, although the cost nearly doubles when the sidewalk goes through Dover Circle. Mr. Fortney added that plowed snow from the street would be piled up on the sidewalks on Dover Circle.

When asked by Council if Mr. Fortney would be willing to participate financially in the sidewalks being installed in Canterbury Crossing other than Dover Circle, Mr. Fortney replied in the affirmative, as he expressed that the practical solution was to put it where it was needed.

Mr. John Kramer, 313 Dover Circle, supported Option 1 and also was supportive of participating in the cost of sidewalk installation on Brandywine Drive.

Dr. Remick stated he supported sidewalks, including on Dover Circle, vacant properties, and the Snow property; however, he would offer the following motion for consideration.

**Dr. Remick moved to change the prior decision of Council and require sidewalks only along Brandywine Drive, from Scenery Drive up to Dover Circle and across the eyebrow, and staff to take action on the minor plan.  
Mr. Fryer seconded the motion.**

Mr. Klees argued that this action was premature and recommended supporting the Township proceeding with the minor plan, if College Township is first provided with the cooperative agreement.

Mr. Seth Corneal, 300 Dover Circle, concurred with the sidewalk along Brandywine Drive and would be willing to contribute.

Ms. Joan Wilson, 307 Dover Circle, stated that she preferred Option 1 and would pay the amount requested to participate.

Mr. Jim Ahn, 310 Dover Circle, asked if he would be required to put in a concrete apron as well as installing the sidewalk. Mr. Ahn added that he would be in favor of Option 1 but would want the prices set in stone and would support the recorded minor plan to prevent future assessments.

Mr. Dean Snow reiterated his recommendation that Council seek legal counsel and look at the ordinance regarding the requirement for the apron and that Council discover who would be responsible for acting collectively on the part of the homeowners.

Council directed the township manager to write to Mr. Palmer, S&A Homes, and the President of the Canterbury Crossing Homeowners Association regarding their acting in cooperation with one another to get this remedied.

**Mr. Fryer moved to withdraw the prior motion that the Homeowners Association work on a minor plan and cooperative agreement, and that staff investigate associated legal issues.**

**Dr. Remick seconded the motion and the Chair accepted the withdrawal of the motion.**

Staff should prepare a letter to S&A Homes and the Homeowners Association relative arriving at a mutual agreement on an acceptable solution and development a cooperative agreement.

## **OB-2 Residential Rental Ordinance; Discussion**

Mr. Mark Holdren, CRPA Sr. Planner, presented a revised, proposed Residential Rental Permit ordinance for Council review and comment. This proposed ordinance would amend Chapter 200, Zoning, and create a new chapter to be entitled "Chapter 160, Residential Rental Permits" to the College Township code. The proposed ordinance would require residential rental properties to apply for and receive a permit from College Township for all properties to be rented for residential purposes. Mr. Holdren stated that this ordinance would allow for the permitting of residential properties for both long-term and short-term periods of time.

Following Council comments on the difficulty of enforcement, the onerousness of the ordinance on landlords and tenants alike, the preference for this to be considered regionally as opposed to locally, and the removal of proposed subsection 160-11, Reporting of Tenants, it was determined that this proposed ordinance was not ready to be remanded to Planning Commission and took the following action.

**Mr. Klees moved to table the proposed Residential Rental Ordinance.**

**Mr. Fryer seconded the motion.**

**Motion carried unanimously.**

**OB-3 Resolution R-11-25, 2012 COG Budget; Approval of**

Resolution R-11-25 approves the Centre Region Council of Governments (COG) 2012 Budget in the amount of \$18,851,577 with the local shares equaling \$5,647,726 and College Township's share not to exceed \$1,015,469.

**Mr. Klees moved to approve Resolution R-11-25, 2012 COG Budget.**

**Dr. Remick seconded the motion.**

**Motion carried unanimously.**

**OB-4 2012 College Township Budget**

**a. Resolution R-11-23, 2012 College Township Budget**

Mr. Brumbaugh, Township Manager, announced that for the third consecutive year there would be no property tax increase for 2012 in College Township. This resolution reflects a College Township Budget for 2012 providing for \$5,549,355 in total revenues and \$6,135,611 in total expenditures. An amount of \$586,256 will be utilized from reserves to balance the 2012 Budget, providing an ending combined balance of \$1,472,979.

**Mr. Klees moved to approve Resolution R-11-23, 2012 College Township Budget.**

**Mr. Koll seconded the motion.**

**Motion carried unanimously.**

**b. Resolution R-11-24, 2012 College Township Tax Millage**

**Mr. Klees moved to approve Resolution R-11-24, 2012 College Township Tax Millage.**

**Mr. Fryer seconded the motion.**

Mr. Brumbaugh reported the following millage rates, which total \$.40 mills:

General purposes	2.17 mills/\$0.217;
General debt purposes	.21 mills/\$0.021;
Fire Protection	.48 mills/\$0.048;
Road Machinery	.35 mills/\$0.035;
Parks and Recreation	.87 mills/\$0.087; and
Library purposes	.32 mills/\$0.032.

**OB-5 Ordinance O-11-08, Official Map Amendment; Adoption of**

Mr. Mark Holdren, CRPA Sr. Planner, stated that the amendments to the College Township Official Map reflect the elimination of a reservation for a road known as Pennsylvania Avenue extension due to the practicality of building such a road through multiple properties with topographic issues that would intersect close to the Elmwood Street and E. College Avenue intersection.

**Mr. Fryer moved to adopt Ordinance O-11-08, Official Map Amendment.**

**Mr. Koll seconded the motion.**

Chair Shoemaker objected to the removal of any future roads from the Official Map.

**Chair Shoemaker called the question.**

**Motion carried 4 – 1 (Shoemaker voting nay).**

**OB-6 The Retreat At State College Planned Residential Development (PRD);  
Process Discussion**

Mr. Brumbaugh, Township Manager, advised that Council will not have a full contingency of members at the February 16, 2012, Regular Council Meeting, the latest date for taking a vote on “The Retreat At State College PRD”. Therefore, Mr. Brumbaugh recommended that Council consider restructuring the review of this plan to allow for a vote at Council’s February 2, 2012, Regular Meeting.

Council requested 1) a short tutorial on Council’s obligation on PRD approvals; 2) that a representative from the Borough of State College be present to explain what the Borough Council turned down relative to this plan; and 3) a detailed report from State College Borough Police.

This matter will return to the next Regular Council Meeting on January 5, 2012.

**OB-7 - Withdrawn -**

**NEW BUSINESS:**

None was forthcoming.

### **STAFF AND ABC INFORMATIVES:**

Mr. Fryer asked if SI-5 had been resolved, which was an email from Concord Public Finance, dated December 2, 2011, regarding the Standard and Poor's downgrading of the Township's and Water Authority's 2010 Bonds. Mr. Long, Finance Director, responded that Mr. C. Gibbons of Concord Public Finance resolved this on the Township's behalf and added that the downgrading impacts the cost of the bond.

### **OTHER MATTERS:**

1. Dr. Remick reported that Penn Terra Engineering survey teams were working at Canterbury Crossing's Phase IV section, and Mr. Baker replied that staff anticipates a plan being submitted shortly.
2. Mr. Klees extended his appreciation to the Township road crew for their additional round through the Township to pick up leaves.

### **COMMITTEE REPORTS:**

**Public Services and Environmental Committee:** Dr. Remick reported that the Public Services and Environmental Committee received an update from the Centre County Solid Waste Authority, whose name is changing to the Centre County Recycling and Refuse Authority (CCRRA). Dr. Remick advised that, in compliance with the Commonwealth's Covered Device Recycling Act, items such as old desktop computers, monitors, laptops, and televisions, will no longer be accepted as regular trash items. Beginning January 1, 2012, these items must be disposed of at an electronics drop-off location at the CCRRA facility. Additionally, rigid plastic containers, such as yogurt containers, will now be acceptable as recyclable material; however, residents must deliver them to the CCRRA, as opposed to placing them in their recycle bins for collection-day pick up.

The Committee considered a request from Halfmoon Township as to whether or not advanced wastewater treatment facilities (other than community onlot sewage disposal systems) could be used outside the regional growth boundary/sewer service area. To help newly elected committee members understand what is meant by 'regional growth boundary' and 'sewer service area', Dr. Remick stated that the COG staff would be developing workshops to aid newly elected municipal officials in coming up to speed on regional growth boundary and sewer service area matters, such as that faced by Halfmoon Township.

**Transportation and Land Use (TLU) Committee, December 5, 2011:** Mr. Klees reported that the TLU Committee held a discussion on a section of the Comprehensive Plan that has been under review.

**Parks Capital Committee, December 8, 2011:** Mr. Klees reported that the Parks Capital Committee considered a list of topics that staff generated for 2012. Most 2012 tasks will go to the Centre Region Parks Authority. This Committee hopes to meet to meet only every other month.

**Whitehall Road Pre-Construction Meeting, December 15, 2011:** Mr. Baker reported that contractor HRI is expected to start in March 2012 and work through November 2013 on the Whitehall Road improvements from S. Atherton Street/University Drive to College Avenue, the upgrades to three existing signals and the installation of two new signals at Research Drive and Blue Course Drive, as well as new flashing warning signs at Friends School.

**ADJOURNMENT:**

Chair Shoemaker thanked Council and staff for helping her as Chair in 2012 and thanked residents for their support before adjourning the December 15, 2011, Regular Council Meeting at 9:40 p.m.

Respectfully submitted,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Manager/Secretary