

ATTENDANCE:

BOARD	Elliot Abrams, Chair Bryce Boyer, Vice-Chair George Downsborough, Jr., Supervisor Jeff Luck, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Brent Brubaker, Township Engineer Kim Wyatt, Finance Director Betsy Dupuis, Solicitor Eric Vorwald, Centre Regional Planning Agency Matthew Shupenko, Police Sergeant
ABSENT	John Petrick, Chief of Police
AUDIENCE	C-NET (3) Jeremy Harley, Centre Daily Times Pete Brumberg, Resident Erin McCall, Keller Engineers, Inc. Bill Newton, Resident Constance Martin, Resident John Sepp, Penn Terra Dave Palmer, S&A Homes - Pinnacle

1. CALL TO ORDER

The July 16, 2014 Patton Township Board of Supervisors meeting held at the Township Municipal Building was called to order at 7:00 PM by Chair Elliot Abrams.

2. APPROVAL OF MINUTES

Mr. Luck moved to approve the June 11, 2014 meeting minutes and June 23, 2014 special meeting minutes. Seconded by Mr. Boyer, the motion passed 3-0-1 with Mr. Abrams abstaining due to his absence at that meeting.

3. PUBLIC COMMENTS

Ms. Martin stated that she lives on the one block section of Carnegie Drive that is between Valley Vista and Galen Drive and that she is concerned about pulling out of her driveway due to people parking along the street. She asked the Board if parking could be prohibited or limited in this area for safety reasons.

Mr. Erickson stated that the Township will take a look into this and take a poll with some of the neighbors.

Mr. Wise entered the meeting.

Mr. Downsborough asked if there are any restrictions of uses in the public right away. Mr. Erickson stated that as long as vehicles are registered and licensed there is not much the Township can do but if it is long term parking maybe looking into no parking from 2am to 6am or something to that effect.

4. **PUBLIC SAFETY**

a. **Police Update**

Sergeant Shupenko stated that the June 2014 Public Safety Report was included with the agenda materials. He stated that he had nothing unusual to report for this month and that several officers attended training during the month of June.

b. **Police Hiring**

Sergeant Shupenko stated this year's campaign began with 75 applicants who took the written test for the position of Patton Township Police Officer on May 17, 2014. Of those, 23 met the qualification standards of those with the highest written test scores and proceeded to the oral examination and the physical agility test. Interviews and the agility test were held on June 6 and 7, and a final ranked list was determined. The interview board included the Police Chief, the Finance Director, Sergeant Jolley, and the Manager.

The Police Chief and Township Manager recommend that an offer of employment as a Police Officer be made to the top ranked candidate on the 2014 Police Selection Final Certified Selection List, which was included with the agenda materials. The individual to be appointed will fill a vacancy created from a recent resignation from the Department.

If the applicant accepts the offer of employment, he/she must then pass both a physical and a psychological exam to fulfill the conditions of employment. The Americans with Disabilities Act requires that the medical examination can only be required after a bona fide offer has been made.

Mr. Luck moved to accept the 2014 Police Selection Final Certified Selection List to be effective until December 31, 2015. Seconded by Mr. Boyer, the motion passed 5-0. (The list is included at the end of this agenda)

5. **PUBLIC WORKS**

a. **Circleville Bikeway; Phase 2 Alternate Routes**

Mr. Erickson stated that in June the Board approved a supplement to the design consultant's contract for this project to investigate alternate routings for the second phase beyond the original design along the easterly side of Scotia Road. To enable these alternate routes, work would need to be done on Scotia Road to improve the available sight distance near the Circleville Road intersection. This work would include re-grading and flattening the sharp hill (over-vertical curve) on Scotia Road just south of Circleville Road.

The consultant developed alignments and cost estimates for three alternate routes. Options 2 and 3 include re-profiling Scotia Road, with Option 2 running along the westerly side of Scotia and Option 3 running through the reserved right-of-way behind the homes on Thorndale Road. Plan and profile drawings, along with detailed cost estimates, for the options are included with the agenda materials.

5. **PUBLIC WORKS (CONTINUED)**

a. **Circleville Bikeway; Phase 2 Alternate Routes (CONTINUED)**

Item	Option 1	Option 2	Option 3
	East Side of Scotia	West Side of Scotia	Between homes and stormwater basin
Est'd Const. Costs	\$309,825	\$348,561	\$351,831
Est'd Utility Costs	\$43,750	\$17,500	\$17,500
Est'd Right-of-way Costs	\$37,500	\$56,250	\$56,250
Number of affected Properties	4	5 + GWP	5 + GWP
Est'd Total Costs	\$391,075	\$422,311	\$425,581

The Board should review and discuss the alternatives. The Board could take action to select a preferred alternative or request additional information.

Mr. Luck asked if there is any time pressures. Mr. Erickson stated that the Township submitted a grant with PennDot and should know by late fall.

Mr. Abrams asked about getting feedback from bicyclists in the area. Mr. Erickson stated that he will contact the Centre Region Bike Coalition to get some feedback.

Mr. Downsborough asked Mr. Brubaker if alleviating the site distance constrain also improved the safety for vehicular traffic. Mr. Brubaker answered yes.

Mr. Luck suggested having an open house to get input from the Gray's Woods Home Owners Association.

6. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Steudler stated that at the Planning Commission the Preliminary/Final Subdivision Plan for Gray's Woods Planned Community Stormwater Management, Preliminary/Final Subdivision Plan for Toftrees East/The Village Phase 12 and the Temporary Use Permit for Patton Township Police Department for the Annual Safety Fair were discussed and sent to the Board for their consideration. He stated that afterwards at the Work Session the Amendments to the Stormwater Management Plan and the Conditional Uses for the R-1 District were discussed.

6. **PLANNING AND ZONING (CONTINUED)**

b. **Timbering as a Use by Right under Pennsylvania Law**

Mr. Erickson stated that a resident asked the Board last month why the Township permitted developers to clear-cut property that is being developed. The Board responded that under Pennsylvania land use law the Township has been preempted from any regulation of forestry activities by the Commonwealth of Pennsylvania.

In 2000, the State Legislature amended the Municipalities Planning Code (MPC) to declare that "forestry activities, including, but not limited to, timber harvesting, shall be a permitted use by right in all zoning districts in every municipality."

The entire MPC can be accessed at this site:

http://www.newpa.com/sites/default/files/uploads/Local_Gov/publications/MunicipalitiesPlanningCode.pdf

The Manager has prepared a memo providing additional background on how zoning regulations are authorized and generally implemented, as well as specific information on the section of the MPC noted above that preempts the Township from implementing tree protection regulations. The memo and Article VI of the MPC were included with the agenda materials.

At the last meeting it was suggested that the Township send letters to our State Legislators requesting a change to the state law. Following review of this material the Board may provide further direction to the Manger on this matter.

Mr. Luck stated that the most import to communicate with the State Legislators and let the community to know they need to contact the State Legislators.

Mr. Downsborough stated that he agrees with writing a letter.

Mr. Abrams asked if forestry is considered a business.

Ms. Dupuis stated that this is a property right and that is why the language was changed in the MPC. She suggested sending a letter with language that the Township would like to see in the MCP.

The Board agreed to write a letter to send to the State Legislators.

c. **Preliminary/Final Subdivision Plan: Gray's Woods Planned Community – Stormwater Management/Open Space Lot #2 Subdivision Plan**

Mr. Brubaker stated that the Gray's Woods Partnership is proposing the subdivision of 3.391 acres of land in the Gray's Woods Planned Community. Currently the property is being used for stormwater management and open space. The subdivision is being proposed in order to dedicate the stormwater management and open space to the Gray's Woods Homeowner's Association. This will transfer responsibility of upkeep and maintenance of the stormwater management facility and open space to the homeowner's association. The stormwater management facility is located at the intersection of Brakenbourne Drive and Gray's Woods Boulevard.

The agenda materials included a location map, a 11" x 17" land development plan for the Gray's Woods Planned Community – Stormwater Management/Open Space Lot #2 Subdivision Plan, and a marked up copy of staff's comment letter.

6. **PLANNING AND ZONING (CONTINUED)**

c. **Preliminary/Final Subdivision Plan: Gray's Woods Planned Community – Stormwater Management/Open Space Lot #2 Subdivision Plan**

The Planning Commission recommends approval. The Board should consider action to approve the plan.

Mr. Boyer moved to approve the Preliminary/Final Subdivision Plan: Gray's Woods Planned Community – Stormwater Management/Open Space Lot #2 Subdivision. Seconded by Mr. Luck, the motion passed 5-0.

d. **Preliminary/Final Subdivision Plan: Toftrees East / The Village At Penn State – Phase 12**

Mr. Sepp stated that the Pinnacle Development, LLC has submitted a preliminary/final subdivision plan for Phase 12 of the Village at Penn State. Phase 12 is located near the intersection of Toftrees Avenue and Woodledge Drive. The proposed subdivision consists of 6.737 acres and will include 1.597 acres of open space along with 20 single family building lots. The property is zoned Planned Community (PC) and is currently wooded. Phase 12 of the Village at Penn State is part of the Toftrees Planned Community Master Plan that was recently updated and approved.

The subdivision plan will include a new connection to Toftrees Avenue from Woodledge Drive along Dean's Way.

The agenda materials included a location map, a 11" x 17" land development plan for the Village at Penn State Preliminary/Final Subdivision Plan for Phase 12, and a marked up copy of staff's comment letter. Based on the responses to staff comments, the only item to note is that staff is requesting the proposed trail alignment that was provided on a separate sheet be included as part of the final plan set to be recorded. Otherwise, all staff comments were satisfactorily addressed by the applicant.

The Planning Commission recommends approval with completion of all items noted on staff's marked up comment letter. The Board should consider action to approve the plan.

Mr. Luck moved to approve the Preliminary/Final Subdivision Plan: Toftrees East/The Village at Penn State – Phase 12 with completion of all items noted on staff's marked up comment letter. Seconded by Mr. Boyer, the motion passed 5-0.

e. **Request for Amendment to Zoning Regulations for Toftrees Planned Community**

Mr. Erickson stated that the developer of the majority of Toftrees requests that the Board consider an amendment to the "trigger" event that requires initial construction in the proposed Town Center area. The regulations require that Town Center construction begin when the total number of residential units hits 2300. As indicated in the request letter included with the agenda materials, the developer would like to have the trigger revised to 2700 units.

To further consider this request, the Board may consider action to refer the matter to the Planning Commission for review and recommendation.

Mr. Luck moved to refer the Amendment to Zoning Regulations for Toftrees Planned Community to the Planning Commission. Seconded by Mr. Downsborough, the motion passed 5-0.

6. **PLANNING AND ZONING (CONTINUED)**

f. **Request to Consider Reduction to Rear Yard Setback for Swimming Pools in the A-1 (Rural) Zone**

A resident of the Ambleside neighborhood is requesting consideration of reducing the required 75-foot rear yard setback for swimming pools.

The request letter, a location map for the home (231), and an excerpt from the Zoning regulations showing the applicable setbacks for this lot is included with the Update. A sheet from the Ambleside Phase 4 subdivision plan is included with the digital version of the Update.

The Board may consider action to forward the request to the Planning Commission for study and recommendation.

Mr. Luck moved to forward the request to the Planning Commission for study and recommendation. Seconded by Mr. Downsborough, the motion passed 5-0.

7. **CONSENT AGENDA**

Mr. Erickson stated that the items included below are routine in nature and it is not anticipated that any will generate discussion or questions. The actual Consent Agenda with a brief description of each item is included with the agenda packet materials distributed to the Board and will also be available to the public at the sign-in table. At the request of a Board member any single item or all items on the Consent Agenda can be discussed and voted on separately. If no items are "pulled," the Board should consider a motion for "approval of the Consent Agenda items as shown on the agenda."

a. **Public Works**

1) **Bid Award for 2014 Phase 1 Street Overlays**

The Public Works Director has solicited bids for a portion of the Township's 2014 Street Overlay Program. Bids were opened on June 25th and were reviewed by the Public Works Director.

A report and recommendation on the Bid Award is included with the agenda materials.

It is recommended that the Board award the contract for 2014 Street Overlays – Contract No. 1 to New Enterprise Stone and Lime, Inc., in the amount of \$67,010.45.

b. **Planning and Zoning**

1) **Temporary Use Permit: Patton Township Police Safety Fair**

The Patton Township Police Department is requesting a temporary use permit to hold their annual Patton Township Safety Fair. This year's event is proposed to be held on September 13, 2014, in the Colonnade Shopping Center's parking lot (in front of Target, adjacent to Colonnade Boulevard).

It is expected that, as in years past, several local police departments, fire companies, and other first responders (such as LifeFlight) will set up various displays, demonstrations, and activities to educate and entertain the general public about safety issues. Food vendors will be present as well. Ingress and egress will be through the Target's parking lots, and traffic patterns will be only slightly affected. There will be 10' x 10' canopies in place for shade and shower protection. A separate helicopter area is shown on the site plan. The Patton Township Police Department proposes holding this year's event from 9:00 AM until 4:00 PM.

7. **CONSENT AGENDA (CONTINUED)**

b. **Planning and Zoning (Continued)**

1) **Temporary Use Permit: Patton Township Police Safety Fair (Continued)**

The agenda packet included a location map and cover letter submitted by Officer Tom Snyder of the Patton Township Police Department.

The Planning Commission recommends approval with the condition that verification of approval by the property owner is provided.

It is recommended that the Board approve a Temporary Use Permit for Patton Township Police Safety Fair.

c. **Administration**

1) **Voucher Report**

A copy of the June 2014 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

It is recommended that the Board approve the June 2014 Voucher Report.

Mr. Luck moved to approve the Consent Agenda. Seconded by Mr. Boyer, the motion passed 5-0.

8. **MANAGER'S REPORT**

- a. Mr. Erickson stated that the Development Update was enclosed with the agenda packet.
- b. Mr. Erickson stated that there is a resident on Candlewood that gypsy moth caterpillars along with a couple places in the area but there is nothing to be alarmed about for now because all the caterpillars were dead. He will go out in the fall to check for egg masses.
- c. Mr. Erickson stated that the Quarterly Housing Starts update was included with the agenda packet and there has been no change in the flat trend for the last eighteen months.
- d. Mr. Erickson stated that the Township received a Distributed Antennae system proposal and will be back in August to hold a Public Hearing on this concept if the Township proceeds to do this.
- e. Mr. Erickson informed the Board of an open space lot donation

9. **COMMITTEE REPORTS**

Mr. Luck stated that Parks Capital met and the primary discussion was about the water issues at the Oak Hall Park.

Mr. Boyer stated that Public Services met and discussed the refuse and recycling contract.

Mr. Downsborough stated that Human Resources approved a new job description for a Human Resource Officer. He stated that the wage survey has been completed but staff was not ready to brief it out to the HR Committee however staff presented 9 compensation adjustments which was approved with adjustments. He stated that HR Committee approved 1.5% COLA.

Mr. Wise stated that Finance Committee discussed the program plan.

10. OTHER BUSINESS

There were no other reports.

11. ADJOURNMENT

There being no further business, by Mr. Luck's motion and Mr. Boyer's second, the meeting was adjourned at 8:22 PM.

Douglas J. Erickson, Township Secretary