

ATTENDANCE:

BOARD	Elliot Abrams, Chair Jeff Luck, Vice-Chair George Downsborough, Jr., Supervisor Josh Troxell, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Lawrence Pegher, Finance Director John Petrick, Chief of Police Stephen Casson, Township Engineer Betsy Dupuis, Solicitor
AUDIENCE	C-NET (3) Wes Payne, Crown Castle Jeanne Klanchac, Resident Greg Turner, Resident Leroy Kline, Delta Development Jeremy Hartley, CDT

1. CALL TO ORDER

The February 24, 2016 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 minutes of the February 10, 2016 meeting. Seconded by Mr. Troxell, the motion passed 5-0.

3. PUBLIC COMMENTS

Ms. Klanchac stated that she came representing the neighborhood in regards to parking issues on Leawood Lane. She stated that there is a resident in the area with several cars in the driveway and that is selling parts out of his home and that is causing issues with the neighbors when parking a trailer in front of neighbors' mailboxes.

Mr. Downsborough asked if this is the same issue as discussed at the last Board meeting and related to the proposed change in the Nuisance regulations. Mr. Erickson answered yes.

4. PUBLIC SAFETY

a. Police Update

Chief Petrick stated that the Annual Report for 2015 was included with the agenda materials. He stated that there was one vacancy in 2015 that was filled by Officer Basalla who is a local resident and who was a Patton Township Police Academy and Camp Cadet Program graduate. He stated that the department continues taking mandated training and thanks the Board for a healthy training budget for non-mandatory items. He stated that the department continues to participate with the Drug Task Force, Alcohol Task Force and the Tactical Task Force. He stated that the department had a robust Buckle Up and Aggressive Driving Campaign with 296 citations issued. He stated that there were two taser deployments with no injuries in which one was while assisting State College Police during a Drug Task Force search warrant and the second one was during a disorderly Megabus customer. He stated that this year's Police Academy started last night with 20 plus cadets. He stated that overall crime is up 4/10th of a percent, part one serious crimes is up 2%, less serious crimes was down 8/10th of a percent and that the number one crime is retail thefts. He stated that there was 47 DUI arrests. He stated that the bike patrol put on 752 miles on the bikes during 2015.

4. PUBLIC SAFETY (Continued)

b. Proposed Change to Enforcement of Nuisance Violations

Chief Petrick stated at the last meeting he reported that the department has been responding periodically to a residence in Park Forest regarding a repeated nuisance violation. In accordance with the current nuisance regulations, warnings have been issued to the home owner who then abates each violation. The nature of the violations are all very similar and have to do with the storage of un-registered vehicles.

The Manager and Police Chief proposed amending Chapter 107, Nuisances to waive the warning period and allow an officer to immediately issue a violation notice when a subsequent violation is observed on the same property.

The following language is proposed to be inserted into §107-2. (Notice to owners and occupants of premises) as paragraph B(2) [with the current B(2) becoming B(3)]:

Upon discovery of a subsequent violation on a specific premises, similar in nature to a prior violation that may have been abated, and occurring within 90 days of said prior violation, an ordinance violation notice shall be issued to the owner and/or occupant in the manner prescribed above. Each twenty four- hour period shall constitute a separate violation and an ordinance violation notice may be issued every 24 hours.

The agenda materials included the proposed Ordinance. This ordinance would also clarify, in section B (3), that violations must be corrected along with making payment on the fine. The Ordinance has been advertised as required.

Chief Petrick stated that there is nothing that the department can do if a vehicle is blocking a mailbox.

Mr. Troxell asked if there are any regulations that we do have in place that can help. Mr. Erickson stated that State Vehicle Code has a limited list of parking violations that can be cited and that any other parking prohibitions need to be posted on a sign.

Mr. Troxell suggested putting a reminder in our newsletter reminding residents of parking regulations.

Mr. Downsborough asked if the parking issue is separate from the vehicle nuisance issue. Mr. Erickson answered that they are separate but are related to the same resident.

Mr. Luck moved to approve the Proposed Change to Enforcement of Nuisance Violations. Seconded by Mr. Downsborough, the motion passed 5-0.

Mr. Troxell suggested having the parking issues in the Township discussed at a future meeting or have it looked at by the Planning Commission.

Ms. Klanchac asked if there is something that could be instituted in regards to parking township wide. Mr. Erickson stated that to make changes he would need a request from the neighborhood. Ms. Klanchac asked how she would go about doing that. Mr. Erickson answered to contact him to discuss the options.

5. **PUBLIC WORKS**

a. **Introduction of Public Works Director and Appointment as Township Engineer**

Mr. Erickson introduced Patton Township's new Public Works Director, Stephen Casson, P.E., who began work last week. Mr. Casson has been familiarizing himself with Township regulations and policies. Mr. Casson is a graduate of the University of Maine, and also holds a MBA from Babson College in Wellesley, MA. He most recently was employed by the Greater Lebanon Refuse Authority.

The Board is asked to consider the following appointments for Mr. Casson:

- Township Engineer
- Representative to the Technical Committee of the Centre County Metropolitan Planning Organization
- Assistant Zoning Officer

Mr. Downsborough moved to appoint Stephen Casson to Township Engineer, Representative to the Technical Committee of the Centre County Metropolitan Planning Organization and Assistant Zoning Officer. Seconded by Mr. Luck, the motion passed 5-0.

b. **Proposal from Delta Development to fund match dollars for Valley Vista Drive projects**

Mr. Erickson stated that PennDOT has awarded the Township \$800,000 to install left turn lanes at 4 intersections on Valley Vista Drive. The Township has also applied for grant funding to install adaptive signaling technology on an additional four signalized intersections in the corridor. Between these two projects the Township will need to provide \$581,942 in matching funds for the total of \$921,583 in grant funding. PennDOT has not announced any awards on the signal grants yet.

Leroy Kline, President of Delta Development Group, has offered a proposal to utilize a state loan program, the Pennsylvania Infrastructure Bank, to fund the match dollars. Mr. Kline will make a brief presentation on the terms of a borrowing of this nature

Additionally, Mr. Kline is proposing to the County Commissioners that they institute a recently state-approved \$5 fee increase on vehicle registrations. If adopted by the County, Mr. Kline further proposed that they leverage these fee revenues by also borrowing from the Pennsylvania Infrastructure Bank (PIB). The proceeds from such a borrowing would then be used to make grants to municipalities in the county for transportation related projects.

Mr. Kline would encourage and assist the Township to apply for a grant from the County to make debt service payments on the match dollars for the two noted projects on Valley Vista.

The agenda materials included the proposed Agreement, a spreadsheet showing the debt service payments on a 10 year PIB loan and a list of eligible uses for the County Local Use Fund.

The Board is requested to receive Mr. Kline's proposal and presentation, and consider action on the enclosed Consultant Agreement with Delta Development Group, with payments to Delta at \$2,500 per month for 10 months.

Mr. Kline gave a brief presentation of the Proposal from Delta Development to fund match dollars for Valley Vista Drive projects.

Mr. Downsborough stated that as of now there is no Act 89 State Registration Fee and there is no County Grant procedure to access the fee that does not exist yet. Mr. Abrams asked how many counties did this. Mr. Kline answered 7 and that most counties had waited until the last elections were over.

5. **PUBLIC WORKS (Continued)**

b. **Proposal from Delta Development to fund match dollars for Valley Vista Drive projects (continued)**

Mr. Erickson stated that it was an opportunity that came up that he and Mr. Pegher thought this is an opportunity to get money that we might not otherwise be eligible for.

Mr. Downsborough asked if the Solicitor looked over the Consultant Agreement. Ms. Dupuis answered yes.

Mr. Downsborough stated that he has not done many loans and felt somewhat uncomfortable locked in with the \$25,000 fee. Mr. Erickson stated that with a bond it could be around \$100,000 in fees.

Mr. Luck asked how the Township is with debt capacity. Mr. Pegher stated that the Township is doing fine and can get the Board the numbers next week.

Mr. Wise moved to approve the Proposal from Delta Development to Fund Match Dollars for Valley Vista Drive Projects. Seconded by Mr. Troxell, the motion passed 5-0.

c. **Watershed Cleanup Day – April 23rd**

Mr. Erickson stated that the Clearwater Conservancy has requested that Patton Township designate April 23, 2016 as Watershed Cleanup Day. Clearwater Conservancy has organized this community-wide volunteer effort annually since 1997 and has collected and safely disposed more than 2,960 tons of trash from our waterways and country-sides.

As in past years, the Patton Township Public Works will continue to participate by providing trucks and labor to assist the collection efforts. The Public Works Director will coordinate activities between Clearwater Conservancy and the Township.

A request letter and flyer from Clearwater was included with the agenda materials. The Board should consider action to designate April 23, 2016 as Watershed Cleanup Day.

Mr. Troxell moved to designate April 23, 2016 as Watershed Cleanup Day. Seconded by Mr. Luck, the motion passed 5-0.

d. **Consultant Services for Valley Vista Drive Left Turn Lane**

This item was postponed to the next Board meeting.

e. **Consultant Services for Reviewing/Amending the Master Plan for Bernel Road Park**

Mr. Erickson stated that in 2015, the Recreation Advisory Committee (RAC) indicated that they would like to review and update the Master Plan for Bernel Road Park (included with the agenda materials). The Master Plan was completed in 2008 by YSM Landscape Architects and construction of Phase I was completed in 2012. Phase II of the Master Plan includes additional parking and playfields.

Since the construction of Phase I, Master Plans have been prepared for the Regional Parks as administered by Centre Region Parks and Recreation. Construction of Phase I of Oak Hall Park is complete and monies have been earmarked for construction of Phase I of Whitehall Road Park. The RAC feels that with the addition of these fields to the local inventory, they would like to re-visit the need for fields at Bernel Road Park and investigate the potential to satisfy other recreational needs of the Township residents at this location.

5. **PUBLIC WORKS (Continued)**

e. **Consultant Services for Reviewing/Amending the Master Plan for Bernel Road Park (Continued)**

Staff and the RAC recommend that YSM Landscape Architects should be asked for a formal proposal to complete this work. It is recommended that YSM complete the Master Plan update due to their proven abilities and that this is an update to their original Master Plan.

The 2016 Budget included \$12,500 for this work.

Mr. Luck stated that he is supportive of this but it is unclear to him if the need for more rectangular fields will be satisfied by the Regional Parks program. He agreed that there are enough softball fields.

Mr. Troxell stated that he is concerned because Oak Hall Park and Whitehall Road Park are pushing tournament play and while that frees up the neighborhood parks, he is concerned about the community pickup games that people like to have and where they would have to go for that.

Mr. Downsborough agreed that there are enough softball fields in the Region but not sure if we have enough fields for soccer and such.

Mr. Downsborough moved to move forward with the Consultant Services for Reviewing/Amending the Master Plan for Bernel Road Park. Seconded by Mr. Luck, the motion passed 5-0.

f. **Agreement with Crown Castle for Fiber Optic Lease for Adaptive Signaling System on Waddle Road**

Mr. Erickson stated that the Waddle Road Interchange Improvement Project will include an Adaptive Traffic Signal System to operate the corridor as a coordinated system. The Township is responsible to install fiber optic cable from the master controller, to be located at Colonnade Boulevard and Waddle Road, to a dedicated server at the Township Building.

Previously the Township and Crown Castle's entered into an agreement to place a distributed antennae system (DAS) providing cell service on several traffic signal poles and other locations on Township properties. As part of that agreement, Crown Castle provided conduit for the Township along Colonnade Boulevard.

This agreement includes the installation of fiber optic cable in the conduit, and as overhead lines along Atherton Street from Colonnade Blvd. to the Township building. There is also a monthly fee that covers maintenance of the fiber.

Action on the agreement was postponed at the February 10th meeting. The proposed agreement was included with the agenda materials.

Mr. Abrams asked if these will still work in snow/fog. Mr. Luck answered that from the systems that he has seen that they work in the snow and sometimes have issues in the fog.

Mr. Luck moved to approve the Agreement with Crown Castle for Fiber Optic Lease for Adaptive Signaling System on Waddle Road. Seconded by Mr. Downsborough, the motion passed 5-0.

Mr. Downsborough stated that the graphic does not show that the ending is at the Patton Township Building. Mr. Erickson stated it has been updated.

6. ADMINISTRATION

a. Request for Waiver for Lot Size for the Keeping of Chickens

Mr. Erickson stated that in 2009 the Township enacted regulations, included with the agenda materials, to permit the keeping of chickens in residential areas with certain limitations. The minimum lot size required to keep up to four hens is one-half (1/2) acre.

A Park Forest resident on Highland Drive with 0.32 acres is requesting a waiver from the 0.50 acre minimum. (Because these regulations are outside the Zoning and Subdivision regulations, the authority to provide a waiver rests with the Board of Supervisors.) Along with the request letter, the Manager has also provided, with the agenda materials an aerial photo of the neighborhood showing individual homes, lots lines and acreage; and photos of their backyard provided by the applicants.

Notices regarding the request for a waiver have been mailed to residents whose lots adjoin the requestor's property and those across the street. A copy of the notice was included with the agenda materials.

As of 7:00PM on February 23rd there were no comments had been received by the Manager.

Following public comments and discussion at the future meeting the Board would consider action on one of these courses:

- Grant the waiver outright or grant the waiver with conditions (number of hens, fencing, etc.)
- Deny the waiver request by specific motion
- Take no action; request is denied due to lack of a motion
- Defer the matter to another meeting to get additional public input

Mr. Luck moved to approve the Waiver for Lot Size for the Keeping of Chickens with the condition of the maximum number of chickens be 3. Seconded by Mr. Wise, the motion passed 5-0.

b. Potential Amendments Regarding Minimum Lot Size for the Keeping of Chickens

Mr. Erickson stated that the previous item generated the start of a discussion regarding the potential need to update or amend the Keeping of Chickens regulations, especially with regard to the minimum lot size. The Township has provided waivers twice before on lot size prior to the preceding item.

The Manager provided a preliminary list of potential changes that could be made to the minimum lots size:

No minimum but must be an accessory use to a primary residential use. This is the approach adopted by State College Borough.

Reduce the minimum from the current 0.5 acre. The following minimum lot sizes are found in these residential zoning districts:

- 10,000 square feet (0.23 ac) is minimum in R-2
- 8,000 sf (0.18 ac) is minimum in R-3 for Single Family dwellings
- 4,000 sf (0.09 ac) is minimum for Manufactured Home District (Valley Vista Park)

6. **ADMINISTRATION (Continued)**

b. **Potential Amendments Regarding Minimum Lot Size for the Keeping of Chickens (Continued)**

Scale number of hens permitted to the size of the lot, for example:

<u>Lot Size (acres)</u>	<u>#hens</u>
<0.15	1
0.151 – 0.23	2
0.231 -0.50	3
0.501 -0.88	4
0.881– 1.25	5
1.251- 1.62	6
1.621 – 1.999	7
2.0 + in res. Zone	8
10+ in A-1 – treated as livestock	

Mr. Downsborough stated that he feels the Board is going to grant waivers unless a neighbor has an issue with this. He stated that he would like to reduce the minimum lot size.

Mr. Abrams asked if Staff could look into the reducing the minimum lot size. Mr. Erickson answered yes.

Mr. Luck stated that the Board has gone thru the process and that this could be something Staff could handle.

Mr. Wise stated that as long as the ordinance says a resident can have chicken then they can have a chicken.

Mr. Abrams suggested including this in with the Consent Agenda.

Mr. Troxell asked what will be done if a neighbor objects. Mr. Erickson answered that a waiver will not be granted if a neighbor objects.

Mr. Downsborough asked about Mr. Casson looking at the scale numbers.

Mr. Erickson stated that this will come back as a proposal for an ordinance change.

7. **MANAGER'S REPORT**

a. **No support for I99 magazine ad from other municipalities**

Mr. Erickson stated that the other municipalities did not support the I99 magazine ad.

b. **Resignation from Zoning Hearing Board**

Mr. Erickson stated that Bob Mellott has resigned from the Zoning Hearing Board.

c. **UAJA Grays Woods Sewer – March 23, 2016**

Mr. Erickson stated that notices were sent out to residents in the Grays Woods are in regards to the Public Hearing about the UAJA Sewer line.

d. **Open Space Task Force Property Tour – March 2, 2016**

Mr. Erickson stated that the Open Space Task Force will be having a property tour of on March 2, 2016 of about 15 properties and will hopefully have a final ranking of properties to bring to the Board.

8. COMMITTEE REPORTS

Mr. Abrams stated that Executive Committee and General Forum met.

Mr. Downsborough stated that Finance met and discussed the COG priorities.

Mr. Luck stated that Centre County Metropolitan Planning Organization met and discussed Benner Township's withdrawal from the MPO and that the County picked up their expense. He stated that our Valley Vista Drive bike path project is up for TAP funding consideration along with another project in Centre Hall.

Mr. Troxell stated that March 6-12 has been declared Ground Water Awareness Week.

9. OTHER BUSINESS

Mr. Luck stated that he received a note that USDA has a fiber optic program called Cool and Connected but that the deadline is today. He asked the Board about sending an email to let them know that we would like to be informed and interested in the program.

10. ADJOURNMENT

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

Douglas J. Erickson, Township Secretary