

**ATTENDANCE:**

|          |                                                                                                                                                                                                                                                                                                                              |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BOARD    | Elliot Abrams, Chair<br>Jeff Luck, Vice-Chair<br>George Downsborough, Jr., Supervisor<br>Josh Troxell, Supervisor<br>Walt Wise, Supervisor                                                                                                                                                                                   |
| STAFF    | Doug Erickson, Township Manager<br>Lawrence Pegher, Finance Director<br>John Petrick, Chief of Police<br>Stephen Casson, Township Engineer<br>Susan Wheeler, Public Works Project Manager<br>Betsy Dupuis, Solicitor                                                                                                         |
| AUDIENCE | C-NET (3)<br>Chris Hurley, CRPR<br>Chuck Strodoski, YSM Landscape Architects<br>Ann Taylor, Recreation Advisory Committee<br>Greg Turner, Recreation Advisory Committee<br>Cindy Solic, Recreation Advisory Committee<br>Chad Stafford, PennTerra Engineering<br>Cindy Hahn, C-NET<br>Dave Gustine, C-NET Board of Directors |

**1. CALL TO ORDER**

The May 11, 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 April 13, 2016 and April 27, 2016 meeting minutes. Seconded by Mr. Troxell, the motion passed 5-0.

**3. PUBLIC COMMENTS**

There were no public comments.

**4. ITEMS OF GENERAL INTEREST**

**a. C-NET Report**

Mr. Gustine stated that he is the Patton Township representative for C-NET. He stated that highlights for the 2015 year include 522 programs that were produced and that it was the second year of a three year transition to all HD recording and webstreaming. He stated that the new Televue HD server was installed in June of 2015 and the online programming moved to the Televue Cloudcast platform. He stated in 2016 the projects include installation of a HD Robotic Camera System at the State College Borough Council Chambers and working on a new strategic plan for the organization starting with community interviews.

Ms. Hahn provided a brief presentation on the history, programming and future of Centre County's Government and Education Access Channel. She stated that Patton Township sponsored 37.5 programs which includes 34 bulletin board messages in 2015. Stated that the Patton Township sponsored about 8% of all the programs in 2015.

5. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated a copy of the April 2016 Public Safety Report was enclosed with the agenda materials. He stated that numerous officers participated in the Crisis Intervention Team Youth refresher training that was held at Ferguson Township. He stated that two officers attended Summer Safety Training that was sponsored by the PA Crime Prevention Officers' Association. He stated that Officer Snyder attended a Child Abuse Investigation training. He stated that Officer Shaffer attending a Drug Recognition Expert training. He stated that there was a slight spike in serious crimes due to retail thefts. He stated that yesterday a retail theft was reported at Wegmans where the individual fled from scene in which resulted into a taser deployment and an arrest was made.

b. **Centre Region Building Safety and Property Maintenance Code (CRBSPMC) Update**

Mr. Erickson stated that the Centre Region Codes Agency, our building permitting and inspecting agency, has proposed a set of revisions to the regulations that primarily govern rental housing in the Region. Some sections of the Code apply to owner-occupied dwellings also:

**101.2 Scope. [4A]** The provisions of this code shall apply to all existing residential and nonresidential *structures* and all existing *premises* and constitute minimum requirements and standards for *premises, structures*, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners, owner's authorized agent, operators* and *occupants*; the *occupancy* of existing *structures* and *premises*, and for administration, enforcement and penalties.

**Exception:** *Owner*-occupied single-family dwellings that do not require a rental housing permit are exempted from all sections of this code except Sections 108, 109, 110, **111**, 302, 303, 304, **exterior provisions of 307, 604**, and Chapters 2, 9, 10, and 11 of this code.

The proposed revisions were provided with the April 27<sup>th</sup> agenda. The Manager and Zoning Officer have reviewed the proposed revisions and provided comments/questions that were included in the agenda materials.

The Board endorsed the comments as provided. Mr. Troxell noted he was still reviewing the proposed changes to the Code. Mr. Erickson stated that he will bring this back at the June Board of Supervisors Meeting.

6. **PUBLIC WORKS**

a. **Bernel Road Park; Master Planning for Phase II**

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. The Master Plan was completed in 2008 by YSM Landscape Architects and construction of Phase I was completed in 2012. Phase II of the 2008 Master Plan includes additional parking and playfields.

Since the construction of Phase I, Master Plans have been prepared for the Regional Parks administered by Centre Region Parks and Recreation (CRPR). 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.

6. **PUBLIC WORKS (Continued)**

a. **Bernel Road Park; Master Planning for Phase II (Continued)**

In March of this year, the Board engaged YSM Landscape Architects to conduct this Master Planning activity. The scope of services proposed by YSM includes a review of Phase I construction and conducting research and key person interviews in order to evaluate trends and park and recreation facility needs for the remainder of the site. Two conceptual plans will be developed for review and the RAC will provide input for a final plan to be presented to the Board of Supervisors for their adoption.

Mr. Strodoski addressed the Board and asked the Board members for their views regarding recreations needs in the community and what should be considered for Phase II of Bernel Road Park. He stated that they will conduct a public meeting to get people's thoughts and feelings.

Mr. Troxell stated that this is a wonderful park that there are always families with young children and maybe capitalizing on the young children part.

Mr. Downsborough stated that he would be reluctant to give up the fields.

Mr. Strodoski stated that expanding the playground, adding pickleball and adding a dog park were all suggested.

Mr. Luck suggested looking into expanding the walking paths and questioned about playing off with the airport theme with expanding the playground.

Mr. Wise suggested looking into if the walking paths can be expanded for bicycles.

Mr. Troxell suggested looking into additional pavilions.

Mr. Strodoski stated that his next step would be to reach out to individuals and organizations that have interest in the park.

7. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Steudler stated that the Planning Commission discussed the final subdivision plan for Tracts 2 and 3 for the Toftrees Planned Community and the Proposed Endorsement of Comments to the Public Utility Commission regarding Public Utility Status of DAS Providers.

b. **Proposed Endorsement of Comments to the Public Utility Commission (PUC) regarding Public Utility Status of Distributed Antennae Systems (DAS) Providers**

Mr. Erickson stated that the Pennsylvania Municipal League (PML) and the Pennsylvania State Association of Township Supervisors (PSATS) have jointly filed comments, along with two other state-wide municipal groups, with the PUC responding to the Commission's questions regarding certification of distributed antennae systems.

From the comments (included with the agenda materials):

**1. What is Distributed Antenna System (DAS) service?**

A Distributed Antenna System ("DAS") is a network of antennae that are spatially dispersed and strategically located to provide wireless services such as cellular, Wi-Fi, and two-way radio communications to a targeted coverage area. DAS is principally a repeater system that extends or boosts a provider's radio frequency ("RF") signals or

7. **PLANNING AND ZONING (Continued)**

b. **Proposed Endorsement of Comments to the Public Utility Commission (PUC) regarding Public Utility Status of Distributed Antennae Systems (DAS) Providers (Continued)**

spectrum from their network to the edge in order to support end user mobile and stationary devices in areas where their signal coverage and capacity are lacking. A few retransmitted wireless services include: cellular services (voice, text, and data), Wi-Fi, and public safety.

This is the type of service that Crown Castle provides locally.

The general thrust of the comments/answers is that a DAS system should not be classified as a utility and regulated by the Commonwealth through the PUC, but that these systems fall under federal regulations under the Federal Communications Commission (FCC) that govern traditional cell phone towers.

The potential impact to the Township is the exercise of control on the location of the antennae. If deemed a Public Utility a DAS provider would have mostly unfettered access to public rights-of-way, including the right to install poles. If deemed to fall under the FCC, the Township retains control of antennae siting through our zoning regulations.

In our negotiations with Crown Castle we avoided having to settle that issue by having the antennae co-located on traffic signal poles, light poles and a flag pole. Neither regulatory framework provides a DAS operator the right or authority to co-locate on other entities structures – that still has to be negotiated.

The Planning Commission reviewed this information at their May 2<sup>nd</sup> meeting and took action to recommend that the Township file comments with the PUC endorsing the PML/PSATS comments.

The Manager urges the Board to consider action to endorse the answers/comments and file a statement with the PUC.

Mr. Luck moved to approve the Proposed Endorsement of Comments to the PUC regarding Public Utility Status of Distributed Antennae Systems Providers. Seconded by Mr. Downsborough, the motion passed 5-0.

c. **Toftrees Planned Community – Tracts 2 & 3 Final Subdivision Plan (aka The Grove)**

Mr. Erickson stated that this plan does not create any new lots or approve any additional dwelling units beyond those approved with the 2012 Land Development Plan for the Grove apartment complex. Phase 1 of the complex was constructed in 2013.

This plan moves the internal lot line between Tracts 2 and 3 to align the lots with the phasing plan.

**From the May 2<sup>nd</sup> Planning Commission agenda:**

Patton Township received a final subdivision plan for the Toftrees Planned Community – Tracts 2 & 3 on March 31, 2016. The Toftrees Planned Community – Updated Master Plan was approved by the Board of Supervisors on June 11, 2014. Tracts 2 & 3 are located to the south of Toftrees Avenue between Cricklewood Drive and Fox Hollow Road. The Agency provided comments to the engineer in consultation with the Township on April 15, 2016. The proposed subdivision will involve a lot line adjustment to align the lots with building developments as proposed in the Master Plan phasing.

7. **PLANNING AND ZONING (Continued)**

c. **Toftrees Planned Community – Tracts 2 & 3 Final Subdivision Plan (aka The Grove) (Continued)**

The following items were included with the agenda:

1. A location map for the property
2. An 11"x17" copy of the subdivision plan
3. A marked up copy of staff's comment letter for the subdivision

The Planning Commission's recommends conditional approval to include completion of all items noted on staff's marked up comment letter.

Mr. Luck moved to approve the Toftrees Planned Community – Tracts 2 & 3 Final Subdivision Plan with all conditions met. Seconded by Mr. Troxell, the motion passed 5-0.

8. **ADMINISTRATION**

a. **Pennsylvania Municipal League's Annual Summit – October 4-6**

Mr. Erickson stated that the 117th Annual Summit (formerly the Annual Convention) will be held this year in Lancaster from October 4th to 6th. The convention hotel is the Lancaster Marriot at Penn Square.

Board members should indicate who plans to go and for which nights that need hotel accommodations.

From the members planning to attend, the Board should consider action to appoint one as the Voting Delegate and another as the Alternate Voting Delegate.

Mr. Downsborough stated he would like to attend.

Mr. Luck stated that he plans to attend.

Mr. Pegher stated he plans to attend.

Mr. Troxell stated he plans to attend.

Mr. Erickson stated he will distribute information as it becomes available and will reserve rooms since they book up quickly.

b. **Pennsylvania Infrastructure Bank Loan Application for Valley Vista Drive Work**

Mr. Erickson stated that the Township has been awarded a PennDOT grant to install left turn lanes at the four unsignalized intersections on Valley Vista Drive, and is anticipating a grant to aid with an adaptive signaling technology upgrade at another four intersections in the corridor, and is intending to perform additional overlay paving outside the other project limits, the Manager is recommending securing a Pennsylvania Infrastructure Bank Loan to fund the local match and the overlay costs. An application form for the loan is included with the agenda materials.

8. **ADMINISTRATION (Continued)**

b. **Pennsylvania Infrastructure Bank Loan Application for Valley Vista Drive Work (Continued)**

The proposed terms of the loan include:

Amount: \$800,000

Term: 10 years/ Semi-annual payments

Interest Rate: 1.75%

Other: Interest only due in year one

Will be set up as a line of credit to draw against

No prepayment penalty

May use grant monies received from other sources to repay loan

The Board is asked to consider action to approve the loan application and authorize the Manager to sign the application on behalf of the Township.

Following approval of the Loan by PennDOT the Board must approve an ordinance authorizing the debt as required by Commonwealth law (the Local Government Unit Debt Act). This draft ordinance is included with the agenda materials and will be advertised as required.,

Following enactment of the ordinance, the Township must advertise locally again and file the required proceedings with the Commonwealth for review and approval prior to obtaining the funds. A draft of filing with the Commonwealth is also included with the agenda materials. This filing illustrates that our current level of debt is well below the maximum permitted by state law.

Mr. Luck moved to approve the Pennsylvania Infrastructure Bank Loan Application for Valley Vista Drive Work. Seconded by Mr. Wise, the motion passed 5-0.

c. **April Voucher Report**

Mr. Erickson stated that a copy of the April 2016 Voucher Report was enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

Mr. Downsborough moved to approve the April 2016 Voucher Report. Seconded by Mr. Troxell, the motion passed 5-0.

9. **MANAGER'S REPORT**

a. **Development Update**

Mr. Erickson stated that the Development Update was included with the agenda materials.

Mr. Luck asked if the community garden plots are all rented. Mr. Erickson stated that there may be one plot that is on a slope that is available and that will be looking to expand the community gardens.

b. **SCBWA Permit Renewal Notice for Shingletown Gap Reservoir**

Mr. Erickson stated that the SCBWA Permit Renewal Notice for Shingletown Gap Reservoir is requesting to reduce water usage by 75%.

c. **Circleville Road Bike Path Ribbon Cutting**

Mr. Erickson stated that on June 30, 2016 from 11:30 AM to 1:00 PM there will be a ribbon cutting at the Circleville Road Bike Path.

d. **Louis E. Silvi Baseball Complex – Ferguson Township**

Mr. Erickson stated that he received an invitation from Ferguson Township for the Opening Day

Ceremonies for the Louis E. Silvi Baseball Complex in which Patton Township donated \$10,000 towards.

**e. Ridgemont Neighborhood Fireworks**

Mr. Erickson stated that there will be a fireworks display in the Ridgemont Neighborhood on June 4, 2016 around 9:00 PM.

**10. COMMITTEE REPORTS**

**a. Transportation and Land Use**

Mr. Luck stated that the Transportation and Land Use Committee had a report from the Centre Region Bicycle Advisory Committee and that this month was declared Bicycle Month by Centre County. He stated that they discussed the Pennsylvania Electric Bikes on whether they can be used on shared used paths.

**b. Human Resources**

Mr. Troxell stated that the personnel position changes and raising the CPIU was discussed at Human Resources Meeting.

**c. Public Services**

Mr. Luck stated that Penn State received a letter from DEP regarding reuse water line installation. He stated that the Nutrient Management in the Centre Region was discussed. He stated that the Fiber Optic Infrastructure Study came back and it was approved.

**d. Public Safety**

Mr. Wise stated that at the Public Safety meeting the refurbishment of the Fire Engine #514 that was involved in the accident on I-99 was discussed. He stated that Public Safety received an intro to the 2017 Program Plan Proposals.

**e. Finance Committee**

Mr. Downsborough stated that he is going to be attending the Finance Committee Meeting.

**f. Parks Capital**

Mr. Downsborough stated he will be attending Parks Capital as the alternate.

**11. OTHER BUSINESS**

Mr. Downsborough stated that he handed out a draft letter from the Board to the UAJA about the Nutrient Management approach and asked the Board to approve for Staff to send letter to the UAJA.

Mr. Luck moved to approve Staff to send letter to the UAJA. Seconded by Mr. Troxell, the motion passed 5-0.

**12. ADJOURNMENT**

There being no further business, by Mr. Luck's motion and Mr. Downsborough's second, the meeting was adjourned to Executive Session at 8:20 PM.

**13. EXECUTIVE SESSION**

The Board met in Executive Session with the Solicitor, Manager and Director of Finance and Administration to discuss collective bargaining negotiations with the Patton Township Police Officers Association. There was no Board action following the Executive Session.