

**ATTENDANCE:**

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| BOARD    | Elliot Abrams, Chair<br>Jeff Luck, Vice-Chair<br>George Downsborough, Jr., Supervisor<br>Josh Troxell, Supervisor  |
| STAFF    | Doug Erickson, Township Manager<br>John Petrick, Chief of Police<br>Stephen Casson, Township Engineer<br>Betsy Dupuis, Solicitor<br>Greg Garthe, Planner<br>Susan Wheeler, Public Works Project Manager  |
| ABSENT   | Lawrence Pegher, Finance Director<br>Walt Wise, Supervisor   |
| AUDIENCE | C-NET (2)<br>Scott Miller, Resident<br>Louwana Oliva, CATA<br>Wendy Pardee, CATA Board of Directors<br>Kim Ring, RE/MAX<br>Monica and Duke Gastiger, RE Farm Café<br>Mark Torretti, Penn Terra<br>Michele Brandt, Gray's Centre<br>Mike Trombley, Trombley Real Estate |

1. **CALL TO ORDER**

The July 20, 2016 Patton Township Board of Supervisors meeting held at the Township Municipal Building was called to order at 7:02 PM by Chair Elliot Abrams.

2. **APPROVAL OF MINUTES**

Mr. Downsborough moved to approve the June 22, 2016 meeting minutes. Seconded by Mr. Luck, the motion passed 3-0-1 with Mr. Abrams abstaining due to not attending the meeting.

3. **PUBLIC COMMENTS**

Mr. Miller asked about the number of trailers at Wal-Mart that is allowed. Mr. Erickson stated that he will talk to Zoning Officer and will send a copy of the permit to Mr. Miller.

4. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that a copy of the June 2016 Public Safety Report was included with the agenda materials. He stated that officers attended firearms training and tactical police driving training. He stated that the lobby now houses a prescription medicine drop off box. He stated he wanted to thank the community for all their support of the officers.

b. **Records Management System Intergovernmental Agreement**

Chief Petrick stated that over the past two years the Police Department staff; in conjunction with staff from State College Borough, Ferguson Township, Penn State and the County Dispatch Center; have been working towards purchase and implementation of a new Records Management/Mobile Computer system. Funds for this program were included in the 2015 and 2016 budgets. The system will replace a system purchased in 2008 and continue to allow officers to have full access to local and state databases from their mobile terminals in the patrol vehicles.

4. **PUBLIC SAFETY (CONTINUED)**

b. **Records Management System Intergovernmental Agreement (CONTINUED)**

Enclosed with the agenda materials was the new intermunicipal agreement establishing the parameters of joint ownership and operation of the system. This agreement is very similar to the one adopted in 2008 and has been reviewed by the Manager and Solicitor.

The final cost of the system, including implementation costs, is being negotiated at this time. The Township's share of the initial costs of the Records Management system will be 12.5% of the total. PSU will provide 50% of the funding; State College Borough will provide 25%; and Ferguson Township will provide 12.5%. At this time we have budgeted or encumbered a total of \$110,000 for this system.

An Intermunicipal Agreement Ordinance has been advertised for consideration and action by the Board. The Ordinance authorizes the Board Chair to execute the Ownership Agreement on behalf of the Township. The Ordinance is included in the agenda materials.

Mr. Downs brough stated that he has a problem with paying fees when they do not track the money and would like to request an annual accounting of these fees.

Mr. Erickson stated that he needs to do further investigation of lately proposed cyber insurance requirements and asked the Board to wait for any action to be made until next month.

5. **PUBLIC WORKS**

a. **Centre Area Transportation Authority (CATA) Update**

Mr. Abrams stated our representative to the CATA Board of Directors, Wendy Pardee, will be taking new employment outside of the state, and has tendered her resignation effective at the end of the August CATA Board meeting. Ms. Pardee has served since December 2015.

Ms. Pardee stated that it has been a pleasure serving on the CATA Board.

Ms. Oliva gave a brief update on the CATA activities.

b. **Reimbursement Agreement with West Penn Power for Waddle Road Interchange Improvement Project**

Mr. Erickson stated that the Township's consultants have been working with PennDOT, the utility providers and the project engineers to complete the utility relocation work that is required for the Waddle Road Interchange Improvement Project.

West Penn Power (WPP) has completed the required filings for reimbursement for their relocation costs. These submittals have been reviewed by the Township's consultant engineers, The Markosky Group, and found to be in compliance with our requirements. The amounts noted below is an estimate of the work required; the final reimbursement amounts will be based on actual costs.

WPP's relocation work included moving all poles, except one, in the corridor to a new location and reconnecting underground service to the businesses in the area. Because WPP has their own easements for their facilities they are eligible for 100% reimbursement of the relocation costs.

The total estimated relocation cost for the work is \$269,821.28. This estimated amount includes the physical construction costs, engineering, construction inspection, accounting, and administrative costs.

5. **PUBLIC WORKS (CONTINUED)**

b. **Reimbursement Agreement with West Penn Power for Waddle Road Interchange Improvement Project (CONTINUED)**

The agenda materials included a more detail description of the work to be completed and the proposed agreement between Patton Township and WPP for reimbursement.

Mr. Luck moved to approve the Reimbursement Agreement with West Penn Power for Waddle Road Interchange Improvement Project. Seconded by Mr. Downsborough, the motion passed 4-0.

6. **PLANNING AND ZONING**

a. **Request to Permit Farm Cafes in the A-1 District**

Mr. Erickson stated that Duke and Monica Gastiger have requested that the Township consider adding Farm Cafes as a permitted use in the A-1 (Rural) zoning district. The Gastigers characterized a Farm Café as such:

A true Farm Café depends on strong relationships with local farmers and ranchers utilizing their offerings almost exclusively to determine the Café's daily menu options. A Farm Café does not tell the farmer/rancher what to grow or raise, but instead builds the menu around what the farmer/rancher has determined is best planted for that farm's soil integrity. The Farm Café foods are fresher, more simply prepared with more emphasis on healthier eating. RE Farm Café will directly connect people to food to culture and to each other...building community.

Simply, a Farm Café is an integral part of a healthy and local food system, an agricultural entity, which a typical restaurant is not.

The request and additional background information on the proposed use was included in the agenda materials in the form of an email exchange between Monica Gastiger and the Township Manager

Mr. and Mrs. Gastiger gave a brief presentation of what makes a Farm Cafe different.

Mr. Luck moved to refer the request to the Planning Commission for review and a recommendation. Seconded by Mr. Troxell, the motion passed 4-0.

b. **Request to Rezone 0.275 Acres from R-1 to Office Buffer District**

Mr. Erickson stated that the Township recently revised the conditional uses allowed in the Office Buffer District to permit the construction of a new dance studio/fitness center at 650 Gray's Woods Boulevard, the prospective owner is now looking at obtaining some additional property from an adjacent lot zoned R-1 (Rural Residence).

They would like to purchase approximately 0.275 acres (12,000 sq. ft.) from an adjacent 6 acre residential lot in the R-1 district. The stormwater management basin is proposed to be placed here. If the rezoning is approved, a subdivision plan would be needed to relocate the lot lines and combine parcels for the dance studio/fitness center. A sketch map of the proposed combined parcel was included with the agenda materials.

Mr. Torreti gave a brief presentation of the layout of the proposed combined parcel.

Mr. Downsborough moved to refer the request to the Planning Commission for review and a recommendation. Seconded by Mr. Luck, the motion passed 4-0.

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

c. **College Township Amendments to the University Planned District**

Mr. Garthe stated that as required by the University Planned District, Patton Township has been notified that College Township is in receipt of a request from the Pennsylvania State University to amend the University Planned District (UPD) Subdistrict Plan by modifying the boundaries of Subdistricts 7 and 8. The area in question consists of 4.7 acres and is located along Big Hollow Road, just west of Tower Road. In addition, a change to the definitions in the UPD District is also proposed relative to Essential Services and Utility Uses. A copy of both ordinances and a brief staff review are included in the agenda materials.

Both the College Township Planning Commission and Council have reviewed the ordinances offering minimal comments. The Patton Township Planning Commission will review on August 1, 2016. The Centre Regional Planning Commission is set to take up this matter at their August 4, 2016 meeting. College Township will then hold a public hearing for both ordinances on August 18 with potential adoption that night. All Patton comments will be provided to College Township.

The Board had no comments.

d. **Appointment of Alternate Sewage Enforcement Officer (SEO)**

The Public Works Director recommends the appointment of Mr. Stan Wallace of Millheim as Alternate SEO for Patton Township. Mr. Wallace was recommended by our former SEO Ralph Houck and Don Franson, P.E., who works for College, Harris and Halfmoon Townships.

Mr. Luck moved to appoint Mr. Stan Wallace to Alternate Sewage Enforcement Officer. Seconded by Mr. Troxell, the motion passed 4-0.

7. **ADMINISTRATION**

a. **Pending Resignation of Board Member**

Mr. Troxell has indicated he plans to relocate outside Patton Township and therefore will not be eligible to remain on the Board. He has informed us that his last day of residency will be August 10, 2016. The Manager recommends that the Board accept his resignation effective August 10, 2016.

The process of replacing a Board member is laid out in Section 407 of the Second Class Township Code (included with the agenda materials.) In essence, the code allows the Board 30 days to appoint a replacement. The appointee will serve until January 1, 2018, and the seat will stand for election in November 2017 to fill the rest of the term until 2022.

There is no dictated process for selecting an appointee. The Board could deliberate, at a public meeting, and offer the appointment to a selected individual. Some Townships have looked to their other Authorities, Boards and Commissions (ABCs) to find candidates. Others have advertised the position and accepted written applications from any eligible resident, and then conducted interviews at a public meeting before choosing an appointee. Or the Board may design some other process.

The Board is encouraged to discuss/determine what process they would like to employ to determine an appointee and provide direction to the Manager as appropriate.

Mr. Downsborough suggested they be more public and more open about the vacancy, accept applications from all interested residents and ask them to make a brief presentation at the Board's August 17, 2016 meeting. By consensus the Board agreed on this approach and directed the Manager to advertise the vacancy.

7. **ADMINISTRATION (CONTINUED)**

a. **Pending Resignation of Board Member (Continued)**

Mr. Downsborough moved to accept Mr. Troxell's resignation effective August 10, 2016. Seconded by Mr. Luck the motion passed 3-0-1 (Mr. Troxell abstained).

b. **Whitehall Road Regional Park discussion**

Mr. Erickson stated that the Council of Governments (COG) Park Capital Committee met on Thursday, July 14<sup>th</sup> – the agenda and one attachment was included with the agenda materials. The committee was asked to consider two alternative access road locations for the proposed park that would be constructed by COG if the adjacent student housing project does not proceed. In lieu of making a choice on the access road location, the Committee posed several other questions for consideration:

- a) What would a revised Phase I Park look like (based on funds available)?
- b) Which access route is preferred?
- c) What other information do elected officials need to make a decision on the future of the park.
- d) Do you have any "show-stoppers" (i.e. must have restrooms or at least one lighted field)?
- e) After all the above is addressed, should we proceed with the project?

Supervisors Troxell and Luck attended the committee meeting. It is expected the issue will also be discussed at the July 25<sup>th</sup> General Forum meeting.

Mr. Troxell stated that the committee has hesitancy on how to move forward at this time and that there are a lot of questions about this plan.

Mr. Luck stated that he cannot support this plan because it does not solve any problems for the region.

Mr. Miller stated that he would hate to see the Township spend more money for another study.

The Board tentatively settled on the following policy to offer to COG:

"The Board feels it is time to open the discussion for providing a regional park in Ferguson Township beyond the current Master Plan and explore other options (i.e. look at an existing park, explore a land swap to have frontage on Whitehall)"

c. **Council of Governments (COG) 2017 Program Plan and Capital Improvement Plan (CIP)**

Mr. Erickson stated that the General Forum is expected to refer the 2017 Centre Region COG Program Plan and CIP to the municipalities for review and comment. The full plan can be viewed or downloaded from the COG website by [clicking here](#). The [2017 Capital Improvement Plan](#) was included with the agenda materials.

Included with the agenda materials is a matrix with the questions posed by the COG Executive Director's introductory comments, along with preliminary questions/comments from the Township Manager and a section for recording the Boards comments.

The Plans will be reviewed again at our August meeting. This meeting represents an opportunity to identify additional information we may need to provide comments back to COG.

Comments will be forwarded to the Executive Director and the COG Finance Committee following Patton Township's Board meeting on August 17.

7. **ADMINISTRATION (CONTINUED)**

c. **Council of Governments (COG) 2017 Program Plan and Capital Improvement Plan (CIP)**

Mr. Downsborough asked Mr. Erickson to send document in word document so he can make notes.

Mr. Luck asked what the justification of the automatic doors and parking addition. Mr. Erickson stated that he has never been there and not found a parking spot.

d. **Temporary Waiver of Manager's Residency Requirement**

Mr. Erickson stated that the Township Manager has requested that the Board provide a waiver of the residency requirement for 15 months from July 21, 2016 until October 20, 2017. This will bridge the time from when the Manager's current lease runs out until he can occupy a new home in Patton Township that is to be built starting late in 2016.

Mr. Luck moved to approve the Temporary Waiver of Manager's Residency Requirement. Seconded by Mr. Downsborough, the motion passed 4-0.

e. **Voucher Report**

Mr. Erickson stated that a copy of the June 2016 Voucher Report was included with the agenda materials. 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 June 2016 Voucher Report. Seconded by Mr. Luck, the motion passed 4-0.

8. **MANAGER'S REPORT**

a. **Quarterly Housing Starts Update**

Mr. Erickson stated that the housing starts are up a little.

b. **Oak Wilt Mitigation Update**

Mr. Erickson stated that there are at least three trees in Park Forest that have Oak Wilt. He stated that staff is getting permission from homeowners to get samples to send to Penn State to confirm Oak Wilt. Then the tree will be removed and disposed of properly with a follow up with injection into the Oak trees near the infected trees. He stated that this will be charged under weather emergency funds.

9. **COMMITTEE REPORTS**

a. **Human Resources**

Mr. Troxell stated that the Finance Assistant job position was assessed and the job was downgraded.

b. **Finance**

Mr. Downsborough stated that COG went over the municipal involvement in the PA Municipal Health Insurance Co-OP and he has a hard copy he will give to Mr. Erickson to distribute.

Mr. Downsborough stated that the 2017 COG Program Plan and the 2017-2021 COG CIP were discussed.

c. **Centre County Metropolitan Planning Organization**

Mr. Luck stated that MPO adopted the 2017-2020 Transportation Improvement Plan for the County.

10. **OTHER BUSINESS**

There was no other business.

**11. ADJOURNMENT TO EXECUTIVE SESSION**

There being no further business, by Mr. Luck's motion and Mr. Downsborough's second, the meeting was adjourned to Executive Session at 8:37PM.

**12. 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 and other personnel issues. There is no anticipated Board action that will be taken following the Executive Session.

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Douglas J. Erickson, Township Secretary