

**ATTENDANCE:**

BOARD	Elliot Abrams, Chair Jeff Luck, Vice-Chair George Downsborough, Jr., 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 Greg Garthe, Planner
AUDIENCE	C-NET (2) Scott Miller, Resident Scot Chambers, Resident Mark Parfitt, Resident William Burnett, Resident Jim Sepp, Penn Terra Dan Trevino, Resident Jim Steff, CRCOG Matt Vidic, Centre Soccer Joe Viglione, CRCOG Gracienne Myers, Resident

**1. CALL TO ORDER**

The August 17, 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 July 20, 2016 meeting minutes. Seconded by Mr. Downsborough, the motion passed 3-0-1 with Mr. Wise abstaining.

**3. PUBLIC COMMENTS**

Mr. Miller stated that he got the information from Mr. Erickson about the permit for Walmart in regards to the trailers and that they are violating their permit by having 26 trailers. Mr. Erickson stated that he will send someone to Walmart to verify the number of trailers.

Mr. Miller stated that he is concerned about the weed growth in the retention ponds and asked who is in charge of the maintenance of the retention ponds. Mr. Erickson stated that someone will take a look at the retention pond and that the land owner is who is responsible for the maintenance of the retention ponds.

**4. VACANCY ON THE BOARD OF SUPERVISORS**

Mr. Erickson stated that with the resignation of Mr. Troxell effective August 10, 2016, Section 407 of the Second Class Township Code (included with the agenda materials.) allows the remaining four Board members 30 days to appoint a replacement. The Code does not dictate a process for selecting an appointee.

At their July meeting the Board determined they would ask any interested and eligible resident to submit a letter of interest and complete the Township's ABC Talent Bank application form. Applicants could also submit additional biographical information if they wished. The deadline for applications was 4 pm on August 10<sup>th</sup>. Application materials and instructions were available on the Township website and from the Township receptionist.

4. **VACANCY ON THE BOARD OF SUPERVISORS (CONTINUED)**

The vacancy was advertised in the CDT and through Facebook. The notice of the vacancy was also emailed to current members of the Township ABCs and to those on distribution lists for agendas and to the Public Works list serve.

The Board members have reviewed the materials submitted by all the applicants.

a. **Presentations from Applicants**

The order of the applicant's presentations has been determined using a random number generator. The applicants, in presentation order, are:

William Burnett  
R. Scot Chambers  
Mark Parfitt  
Gracienne Myers  
Dan Trevino

Each applicant gave a brief presentation stating why they would like to serve and what qualities they would bring to the Board.

b. **Appointment to the Board of Supervisors**

Mr. Downsborough moved to appoint Dan Trevino to the Board of Supervisors effective September 6, 2016 by approving Resolution 2016-011. Seconded by Mr. Abrams, the motion passed 4-0.

5. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that a copy of the July 2016 Public Safety Report was included with the agenda materials. He stated that there was a decrease in part one crimes due to no assaults or burglaries in the month of July.

Mr. Miller asked if the department is prepared for mass overdoses. Chief Petrick stated that the department has the capabilities.

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.

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.

5. **PUBLIC SAFETY (CONTINUED)**

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

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 was included in the agenda materials.

Mr. Luck moved to approve the Records Management System Intergovernmental Agreement and Ordinance 2015-572 that authorizes the Chair to sign the agreement. Seconded by Mr. Downsborough, the motion passed 4-0.

6. **PUBLIC WORKS**

a. **MS4 Stormwater Permitting for Patton Township**

Mr. Casson provided a presentation on the federally mandated Municipal Separate Storm Sewer System (MS4) permitting program. The permitting program is authorized under the federal Clean Water Act and administered by the Department of Environmental Protection (DEP) in Pennsylvania. The program is also a part of the Commonwealth's Chesapeake Bay Strategy. In the past year the U.S. Environmental Protection Agency (EPA) has been conducting MS4 inspections in Pennsylvania. In some instances the EPA has levied significant fines against municipalities.

Mr. Downsborough asked if there is an inventory of all the storm water facilities and how often do we inspect them. Mr. Casson answered that yes there is an inventory and that 20% of the storm water facilities are inspected every year.

Mr. Miller suggested that the Township be proactive and set aside a certain amount of time to check the storm water drains.

Mr. Abrams suggested putting this on the October agenda.

b. **Feasibility Study for Planned Improvements to Waddle Road from Strouse Avenue to Clearview Avenue**

Mr. Erickson stated for several years the Capital Improvement Plan (CIP) has included a project to investigate the feasibility of widening the portion of Waddle Road from Strouse Avenue to Clearview Avenue to three lanes. This would permit left turn lanes at Seymore Avenue and Clearview Avenue, and a center lane for left turns into driveways along Waddle Road.

The feasibility study would include:

- Field surveys and preparation of base mapping
- A conceptual design of the widening project including a sidewalk
- The concept plan will include horizontal alignment sufficient to define key geometric features including approach center lines, lane widths, auxilliary lane storage lengths, Identification of additional right-of-way, if necessary.
- Identification of utilities requiring relocation, if necessary.
- Preliminary construction cost estimates based on the conceptual plan

The first step of this project is to select a consultant to complete the above work. The Township has the following options for consultant selection:

- a. Broadly advertise a Request for Proposals to get as many proposals as possible
- b. Pre-select a smaller group of consultants to provide proposals
- c. Negotiate an agreement with our appointed Traffic Engineering firm, Trans Associates

7. **PUBLIC WORKS (CONTINUED)**

b. **Feasibility Study for Planned Improvements to Waddle Road from Strouse Avenue to Clearview Avenue (CONTINUED)**

The estimated cost of the study in the CIP is \$45,000. The project description sheet from the CIP is included in the agenda materials.

The Board agreed to broadly advertise a Request for Proposals to get as many proposals as possible.

c. **Changes Announced to Green Light-Go Grant Program & the Valley Vista Drive Adaptive Signaling Project**

Mr. Erickson stated that PennDOT has announced that Act 101 of 2016 was signed by the governor on July 20, 2016 and provides significant changes to the Green Light-Go (GLG) Program beginning in Year 3.

The Township has been awarded a GLG grant of \$121,583.31 (47.6% of the estimated project cost) for installing adaptive signaling in the Valley Vista Drive corridor. The estimated project costs are included in the agenda materials

The Department forwarded an agreement to the Township in June, but it was noted that the grant amount was stated at a much lower value in two sections. The Manager had our consultant, Delta Development, contact Central Office to get the agreement corrected. And time went by with no response from PennDOT.

At this point it appears this new legislation would enable the Township to reapply for funding with a reduced local match, which could be as low as 20% of the project. This could reduce the Township's cost by up to \$83,000.

Additionally, the legislation would convert the program to a "municipal grant reimbursement program". Therefore "awarded municipalities would manage their projects instead of PennDOT." This is how the Valley Vista Drive Left Turn Lanes project is being managed. This should lead to lower costs, more local control and a shorter project time line.

Mr. Downs brough moved to reapply to the Green Light-Go Grant Program. Seconded by Mr. Luck, the motion passed 4-0.

7. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. O'Neil stated that the Planning Commission discussed the Barger Subdivision Replot of Existing Lots 1 and 2 and the Barger Fields Preliminary Subdivision Plan. He stated that Mr. Erickson updated the Planning Commission on the open space potential properties. He stated that they discussed location areas for public safety buildings and discussed large scale solar facilities.

b. **Barger Subdivision – Replot of Existing Lots 1 and 2**

Patton Township received a plan to adjust the lot line between the proposed lots 1R and 2R of the Barger Fields subdivision on July 1, 2016. The properties are located to the south of West Buffalo Run Road (PA 550), approximately 0.25 miles east of the Halfmoon Township line. The proposed subdivision adjusts the line between the lots of the parent tract in preparation for a proposed public road and private drives that will access future lots of the proposed Barger Fields subdivision.

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

b. **Barger Subdivision – Replot of Existing Lots 1 and 2 (CONTINUED)**

The Township and Centre Regional Planning Agency provided comments to the project engineer on July 8, 2016.

Mr. Luck moved to approve the Barger Subdivision – Replot of Existing Lots 1 and 2 with completion of all items noted on the marked up comment letter. Seconded by Mr. Downsborough, the motion passed 4-0.

c. **Barger Fields – Preliminary Subdivision Plan**

Patton Township also received the Preliminary Subdivision Plan for the Barger Fields subdivision on July 1, 2016. This is a revision of the preliminary plan that was originally submitted in June 2015. The 82.5 acre property is located to the south of West Buffalo Run Road (PA 550), approximately 0.25 miles east of the Halfmoon Township line. The proposed subdivision divides Lot 2R into 10 lots, and creates a 750-foot long public road (Marion Way) ending in a cul-de-sac.

The Rural Preservation Design (RPD) regulations permit the use of shared driveways to provide access from homes to the public road. The relevant regulations are found in Chapter 149: Streets and Sidewalks of the Patton Code:

Shared driveways.

[Added 12-11-1996 by Ord. No. 96-336; amended 1-2-2001 by Ord. No. 2001-384]

**(1)** Shared driveways are only permitted in rural preservation developments and shall only provide direct access to interior roads created as a part of the development.

**(2)** Shared driveways shall serve no more than four separate lots and shall not exceed a length of 1,000 feet. Turnouts are to be provided at intervals not exceeding 500 feet to enable opposing vehicles to pass each other.

The 1000 foot limit noted in subsection (2) is measured from the end of the public road to the property line of the furthest property from the public road. Home owners are then permitted to extend their own private driveway from the property line to the home location with no limit on length.

The developer has utilized two shared driveways from the end of Marion Way to serve a total of up to 6 lots. The shared driveways are located parallel to one another with a 10 foot grassed medium between them. In lieu of operating these drives as two separate two-way driveways, the developer intends to operate them as a pair of one-way drives serving all six lots. Staff has supported this approach and this approach negates the need to provide turnouts for passing. Cross-overs will be provided where each private drive intersects the pair of shared driveways.

The CRPA provided comments to the project engineer in consultation with the Township on July 8, 2016.

Mr. Luck stated he is concerned about the driveways being 10 feet apart.

Mr. Erickson stated that this plan meets the regulations of the Township.

Mr. Downsborough moved to approve the Barger Fields Preliminary Subdivision Plan with completion of all items noted on the marked up comment letter. Seconded by Mr. Abrams, the motion passed 3-1 with Mr. Wise voting no.

8. **ADMINISTRATION**

a. **Whitehall Road Regional Park Discussion**

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.

The Patton Board discussed the matter at their July 20<sup>th</sup> meeting and 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)”

The issue was also discussed at the July 25<sup>th</sup> General Forum meeting. The following questions were referred to the municipalities for consideration:

**Policy Questions**

- 1) Does Ferguson Township still support the construction of a regional park at Whitehall Road (to be answered only by Ferguson Township)?
- 2) Does the governing Board/Council desire to move forward with the planned Whitehall Road Regional Park?
- 3) Are the municipalities willing to modify the approved master plan and/or the phasing schedule for Whitehall Road Regional Park?
- 4) How many playing fields do we need?
- 5) Does the approved Whitehall Road Regional Park master site plan offer the park amenities that we want?
- 6) Are there “show stoppers” that would prevent the construction of Whitehall Road Regional Park from moving forward?
- 7) Should the construction of Whitehall Road Regional Park be postponed until the Regional Parks Comprehensive Plan is complete (probably in late 2018)?

**Staff Questions:**

- 1) What features make a regional park different than a local park?  
[Staff response: see [https://issuu.com/crpr/docs/wrrp\\_msp\\_full\\_sept2010\\_web](https://issuu.com/crpr/docs/wrrp_msp_full_sept2010_web) then go to paper page 15 (or e-page 20).]

8. **ADMINISTRATION (CONTINUED)**

a. **Whitehall Road Regional Park Discussion (CONTINUED)**

2) For purposes of the DCNR grant, what constitutes a completed park?

[Staff response: see agenda materials "Item 8a.2 Complete Park Conditions."]

Regarding Policy Question 1), Supervisor Miller from Ferguson Township has raised the question of "jurisdiction" between the General Forum and the Parks and Recreation Authority Board, as to who decides if and how the project moves forward (attachment 8a.3). The COG Solicitor is preparing a response to this matter.

Additional questions regarding prior expenditures, available funding and the loan status were addressed by a July 29<sup>th</sup> email from the COG Executive Director (attachment 8a.4 - the referenced agreements are attached to 8a.4 in the e-agenda only). An updated accounting of funds expended to date was provided on August 1<sup>st</sup> by the Agency Director (attachment 8a.5).

All municipal comments must be forwarded to the COG Executive Director by 5:00 PM on Thursday, September 1, 2016 for distribution to the COG Parks Capital Committee to discuss at its joint meeting with the Centre Region Parks and Recreation Authority on September 8, 2016.

Mr. Luck stated he would like to discuss the Solicitor's comments with our Solicitor during Executive Session.

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

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 Program Plan can be viewed or downloaded from the COG website by [clicking here](#).

The [2017 Capital Improvement Plan](#) also can be viewed or downloaded from the COG website

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

Mr. Luck moved to endorse the comments noted above for the COG 2017 Program Plan and Capital Improvement Plan. Seconded by Mr. Downsborough, the motion passed 4-0.

c. **Mid-Year Financial Report**

Mr. Pegher provided an update on the Township's financial position based on revenues and expenditures from the first six months of the year and projected revenues and expenditures through the end of the year.

A memo from the Director and a spreadsheet showing year-to-date revenues and expenses compared to budgeted amounts was provided in a supplemental distribution prior to the meeting.

d. **Financial Trend Monitoring**

Mr. Pegher provided a brief overview on using this tool for assessing the financial position of the Township.

The 2004 to 2014 Financial Trends Monitoring System Report was included with the agenda materials. A summary of each measure studied (last 4 pages of the report) was included as a separate attachment to the e-agenda.

9. **CONSENT AGENDA**

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. **Administration**

1) **Voucher Report**

A copy of the July 2016 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 July 2016 Voucher Report.**

2) **LAN/WAN Agreement Extension**

In 2012 the Township entered into an Intermunicipal Agreement to purchase, operate, and maintain a Regional wide area network (WAN) and local area network (LAN) for the Borough of State College and the townships of College, Ferguson And Patton, the Centre Region Council of Governments and the Centre Area Transportation Authority all being members of the regional technology coalition. The Agreement and enacting Ordinance are included with the agenda materials.

The Agreement runs until August 7, 2017 unless extended in accordance with Section 10 of the Agreement.

**It is recommended that the Board approve a one-year extension to the 2012 LAN/WAN Agreement to August 7, 2018**

3) **Banking Signatures Resolution**

The Township Engineer has completed six months of employment with the Township. The Manager recommends that he be added as a signatory to Township checking accounts. Note that almost all accounts require two signatures.

**It is recommended that the Board approve Resolution 2016-010 to update signatories for Township banking accounts.**

Mr. Luck moved to approve the Consent Agenda minus the LAN/WAN Agreement Extension. Seconded by Mr. Downsborough, the motion passed 3-0.

Mr. Downsborough started that he is confused about the LAN/WAN Agreement is being extended. Mr. Erickson stated that it is to make sure there is enough time in order to make a sound decision.

Mr. Luck moved to approve the LAN/WAN Agreement Extension. Seconded by Mr. Downsborough, the motion passed 4-0.



10. **MANAGER'S REPORT**

a. **Spring Creek Watershed Association Endorsement**

Mr. Erickson stated that the Spring Creek Watershed Association asked for a letter of endorsement for their 20 year anniversary of the Spring Creek Watershed Exchange.

Mr. Luck moved to approve sending a letter of endorsement to Spring Creek Watershed. Seconded by Mr. Abrams, the motion passed 4-0.

b. **CBICC Economic Development Summit Summary and Workshop Results**

Mr. Erickson stated that he, Mr. Luck and Mr. Downs brough attended the CBICC Economic Development Summit. He stated that the results were included with the agenda materials.

c. **July Development Update**

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

11. **COMMITTEE REPORTS**

a. **Public Services and Environmental**

Mr. Luck stated that they discussed the Organics Recycling update and are looking at starting this in 2020.

12. **OTHER BUSINESS**

There was no other business.

13. **ADJOURNMENT TO EXECUTIVE SESSION**

There being no further business, by Mr. Luck's motion and Mr. Downs brough's second, the meeting was adjourned to Executive Session at 9:22PM.

14. **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 to consult with Solicitor regarding information or strategies in connection with potential litigation. There is no anticipated Board action that will be taken following the Executive Session.

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Douglas J. Erickson, Township Secretary