

ATTENDANCE:

BOARD

Elliot Abrams, Chair
Jeff Luck, Vice-Chair
George Downsborough, Jr., Supervisor
Daniel Treviño, Supervisor
Walt Wise, Supervisor

STAFF

Doug Erickson, Township Manager
Lawrence Pegher, Director of Finance and Administration
Tyler Jolley, Chief of Police
Betsy Dupuis, Solicitor
Stephen Casson, Township Engineer
Greg Garthe, Planner

AUDIENCE

C-NET (3)

Andrew Artz, Resident
John Crouse, Sander & Crouse Architects
John Knedler, Resident
Tony Fruchtl, Penn Terra Engineering
Ara Kervanstain, Resident
Gary Vratarich, Resident
Dale and Jackie Hershberger, Residents
Brenda Walsh, Resident
S. Ekema Agraw, Resident
Sergey Miron, Resident
Anita Thies, Resident
Mary Lou Dubil, Resident
Donna McGrath, Resident
Kyle Kensinger, Resident
Morgan Wasikonis, Housing Transitions
Susan Buda, Resident
Aimee Sloane, Resident
Thomas Fonda, Resident
Alan and Margaret Friedlander, Resident
Mark Ballora, Resident

Scott Miller, Resident
JoAnn Knedler, Resident
Lyn Pipenberg, Resident
VedaKay Black, Resident
Heidi Nicholas, SC Boro Resident
David Spack, Resident
Alan and Anne Sica, Residents
Jessica Buckland, Resident
Hilary Rath, Resident
James Payne, Resident
Douglas Mason, Resident
Nicholas Dubil, Resident
Melanie Parenteau, Resident
Mark Parfitt, CATA Representative
Jim Steff, CRCOG
Judy Sinn, Resident
Casey McClain, Resident
Kenneth Walsh, Resident
Betsy Whitman, Resident
Walter Johnston, Resident

1. CALL TO ORDER

The October 11, 2017 Board of Supervisors meeting was called to order at 7:00PM by Elliot Abrams, Chair.

2. APPROVAL OF MINUTES

Mr. Luck moved to approve the September 13, 2017 Regular meeting minutes. Seconded by Mr. Treviño, the motion passed.

3. PUBLIC COMMENTS

a. General Comments

Mr. Miller stated that he is concerned about the trailers at Wal-Mart and he wanted to express concern about the retention ponds in his area and asked about placing some mosquito traps. Mr. Luck stated that the Board discussed several complaints and asked Mr. Miller to go back and watch the previous Board Meetings.

3. **PUBLIC COMMENTS (Continued)**

b. **Light of Unity Festival**

Mr. Abrams stated that the Board received an Invitation to join the Centre County and PSU Bahai communities in their Light of Unity Festival.

Mr. Agvaw gave a brief presentation about the Light of Unity Festival.

4. **PUBLIC SAFETY**

a. **Alpha Fire Company Volunteer Stipend**

Mr. Bair stated that the draft 2018 Centre Region Council of Governments (COG) Detailed Budget contains a recommended increase in the annual stipend paid to the Alpha Company volunteer fire fighters. It is proposed that total stipend amount increase from \$58,000 to \$89,600, an increase of \$31,600. This proposal will almost double the current annual maximum stipend amount from \$550 to around a \$1,000 to volunteers who meet the established criteria

The larger issue is that over the next 3 or so years the COG Fire Director is proposing that the annual stipend be increased to around \$5,000 per eligible volunteer as to be competitive with part-job opportunities. This new cost would be in the hundreds of thousands of dollars.

Mr. Bair provided a brief presentation on the proposal. The power point presentation and a companion report were included in the agenda materials.

This item is for information only. The Board took no action at this time.

5. **PUBLIC WORKS**

a. **Stormwater Pollution Reduction Plan – Public Comment Period Open**

Mr. Erickson stated that a Joint Pollutant Reduction Plan (PRP) has been prepared on behalf of the Centre Region MS4 Partners including: College Township, Ferguson Township, Harris Township, Patton Township, Penn State University, and the Borough of State College. The Plan establishes the current sediment loading to streams and waterways in the area, and identifies projects that the municipalities could undertake to achieve a 10% reduction in the sediment load. The projects must be completed within 5 years. A copy of the PRP was included with the agenda materials.

A public comment period on the PRP commenced on September 29th and will conclude on October 28th. A public workshop to be held on Oct 25, 2017 at 6 PM at the College Township Municipal Building, 1481 E. College Ave, State College, PA 16801. All comments will be tabulated and addressed within the final PRP.

A “Lunch and Learn” for elected officials is being planned by COG.

This item is for information only. The Board took no action at this time. There were no comments provided.

6. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Steudler stated that the Planning Commission discussed the Home Occupation Ordinance.

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

b. **Patton Crossing aka 1752 North Atherton Street aka former Penn State Mobile Home Park**

The Board received a request in March 2017 to consider re-zoning property at 1752 North Atherton Street to permit a development that included a mix of commercial, office, hotel and residential uses. The bulk of the property included in the request is the former Penn State Mobile Home Park located at the intersection of Woodycrest Street and North Atherton Street. The property was purchased in 2012 by the current development group and the Park was closed in 2013. The majority of the former mobile home park parcel is zoned R-3 (Medium Density Residence) except for the front 200 feet along Atherton Street that is zoned C-1 (General Commercial). The proposed development also includes two additional parcels:

- Parcel 18-12-020 , a 0.92 acre parcel at the intersection of Park Forest Avenue and North Atherton Street that has a mix of commercial and residential rental units and is in the C-1 (General Commercial) zoning district, and
- Parcel 18- 12-177, a 2.1 acre Patton Township owned parkland parcel along Park Forest Avenue currently zoned R-2 (Low Density Residence). If ultimately included in the development, Patton Township will receive fair value compensation for the property.

The combined parcels cover approximately 30 acres.

The Board referred the request to the Planning Commission for review and recommendation.

Township staff's initial analysis concluded that the Township had no current zoning district that would permit the mix of uses proposed by the development group.

The Board and Planning Commission directed staff to develop new zoning regulations that would permit and enable the proposed Concept Plan.:

Staff proposed a two-step process for this property:

- Re-zone the underlying property to C-2 (Planned Commercial)
- And simultaneously apply a new set of regulations – Mixed Use 2 – that would:
 - Permit residential uses in the C-2 zone
 - Provide relief form certain R-2 regulations such as:
 - Rear and side yard setbacks
 - Maximum building height
 - Impose additional requirements beyond the C-2 regulations including:
 - Limits on maximum building size
 - Providing subsidized affordable housing

A comprehensive review of the proposed Mixed-Use Overlay District 2 regulations is included in the following agenda item.

The development team will provide an overview of the proposed project. The concept plan and preliminary renderings of *Patton Crossing* are included with the agenda materials.

i. **Ordinance to Create Mixed-Use Overlay District 2**

The Planning Commission completed their review of the subject regulations at their October 2nd meeting. The Planning Commission recommends that the Board adopt the Mixed-Use Overlay District 2 (MXD2) regulations as presented. A recommendation for re-zoning the subject properties is included in the next agenda item.

6. PLANNING AND ZONING (Continued)

b. Patton Crossing aka 1752 North Atherton Street aka former Penn State Mobile Home Park

The MXD2 proposed regulations are presented in two formats that are included with the agenda materials. The first is the “ordinance style” that contains the language that would be adopted and inserted into the Patton Code to create the new overlay district. The second format is a matrix that follows the development of each section of the proposed regulations from initial proposals through the Planning Commission’s recommendation. A column has been added to the matrix to record the Board’s decision on each section. The matrix also includes page and section references back to the “ordinance style” format.

The Manager recommends that the Board review each section of the proposed regulations as presented on the matrix. Ultimately the Board is asked to provide a decision on each section by accepting the recommendation from the Planning Commission (PC), adopting a different standard than the PC recommendation, or requesting additional information and deferring a decision to a future meeting.

The agenda materials also included a July memo from the Manager to the PC discussing the parkland requirements for the development and how the requirements could possibly be satisfied.

Following review of the matrix the Board should determine if they are prepared to move the matter forward to a public hearing. The Pennsylvania Municipalities Planning Code (MPC) requires a 30 day comment window prior to the hearing. The earliest date for a public hearing would be November 15, 2017.

i. Ordinance to Create Mixed-Use Overlay District 2 (Continued)

It is anticipated that this item will also be reviewed at the October 25th and November 1st regular meetings of the Board. A recommendation from the Recreation Advisory Committee is expected at the October 25th meeting regarding how the developer may fulfill their parkland requirement for the residential portion of the project.

ii. Rezoning Request for 1752 North Atherton Street aka Patton Crossing

The Planning Commission has recommended that the Board approve the rezoning of the following parcels to C-2 (Planned Commercial) along with the MXD2 (Mixed-Use Overlay District 2) overlay zoning (see prior item):

<u>Parcel ID</u>	<u>Area</u>	<u>Address/Location</u>	<u>Current Zoning</u>
18-12-21	27.47 ac	1752 N. Atherton St	C-1 & R-3
18-12-20	0.92 ac	1798 N. Atherton St	C-1
18-12-177	2.10 ac	Park Forest Avenue	R-2

At the October 2nd Planning Commission meeting several Park Forest residents commented that they would like to see the Township retain parcel 18-12-177 and continue to maintain it as a “green space.” The Planning Commission requests that the Board carefully consider what is the best use of this parcel. Several emails from Park Forest residents requesting the retention of that parcel are also enclosed.

A traffic study has been submitted and reviewed. It is anticipated that additional turning lanes will be required at the main entrance to the site at the Woodycrest and Atherton intersection. No other mitigations, beyond some anticipated signal retimings, are anticipated.

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

b. **Patton Crossing aka 1752 North Atherton Street aka former Penn State Mobile Home Park (Continued)**

The Traffic Study will be reviewed again, in more detail, with the Master Plan and the Land Development Plans. The Executive Summary of the Study is included with the agenda materials.

In a July update on the project to the Board, several Park Lane residents raised concerns about increase traffic on their street. The intersections of Park Lane and Park Forest Avenue and Devonshire Drive were added to the study at that time. The study find that there would be an increase in traffic on Park Lane but the subject intersections would still operate at a Level of Service A or B (on a A (best) to F(worst) scale.

At the October 2nd Planning Commission meeting several Park Forest residents commented that the proposed driveway connection to Park Forest Avenue would increase traffic in the neighborhood and created safety concerns related to the two day care/ preschools that operate out of the Park Forest United Methodist Church. A letter from a Park Forest resident objecting to the connection to Park Forest Avenue is included in the agenda materials.

Following review of the above the Board should determine if they are prepared to move the matter forward to a public hearing. The Pennsylvania Municipalities Planning Code (MPC) requires a 30 day comment window prior to the hearing, posting of notices on the properties, notification of adjacent property owners and legal advertising. The earliest date for a public hearing would be November 15, 2017.

It is anticipated that this item will also be reviewed at the October 25th and November 1st regular meetings of the Board.

Mr. Poole gave a brief overview of the Patton Crossing Plan.

Mr. Miller asked why Mr. Poole could not build a town center in Tofrtrees last year but can build a town center here. Mr. Poole stated that they were not allowed to do a town center in Tofrtrees due to traffic to at that time and is looking into building one now that the bridge is completed.

Mr. Erickson stated that the front 200 feet of property is zoned commercial while the rest is zoned R3 for apartments.

Mr. Luck stated that the purpose of the Growth Boundary and Sewer Service Area is to keep growth from spreading. He stated that when the Board look at plans they are looking at highest and best use for each particular property.

Ms. Pipenberg state she is concerned about the entrance/exit to Park Forest Avenue. She stated that she spoke to several residents in the area and provided a petition to the Board.

Mr. Payne stated that he feels there is more than enough speeding traffic on Park Forest and does not see any reason why there should be even more traffic added. He stated he is concerned about cutting down all the trees and that the parkland needs to stay there for a buffer.

Ms. Buda asked how Park Lane is classified. Mr. Erickson answered that there is around 2000 cars a day which would be considered a collector road. Ms. Buda asked if the road was designed to be a collector road. Mr. Erickson answered yes.

6. PLANNING AND ZONING (Continued)

b. Patton Crossing aka 1752 North Atherton Street aka former Penn State Mobile Home Park (Continued)

Mr. Walsh stated that he is against the loss of the green space at the park and against the egress of the traffic onto Park Forest Avenue. He stated that there is no need for anymore grocery stores nor need an 8 story hotel.

Mr. Johnston stated that he feels that the plan looks very dense to him.

Ms. Walsh stated that she is opposed to this plan and that the plan is so dense.

Mr. Poole stated that the change they are proposing is a lot more attractive.

Mr. Downsborough suggested that a work session be scheduled to look over the matrix line by line and tentatively schedule a Public Hearing on December 13, 2017.

Mr. Downsborough stated that the Township is going to look at rezoning, overlay and parkland at a work session next week, and at the meetings on October 25th and November 1st.

7. ADMINISTRATION

a. NEW ITEM Financing for Open Space Loan and Re-financing Current Debt

In 2014 the voters in Patton Township approved a referendum to support the borrowing of \$3,500,000 to fund open space acquisition. A Task Force was formed in 2015 to provide a recommendation to the Board on property to pursue for the benefit of the Township. The Task Force provided a short list of properties to the Board in October of 2016 and the Board directed the Manager to contact the owners and pursue acquisition. Hopefully, an announcement can be made soon regarding agreement of the acquisition.

To prepare for the purchase, the Township engaged Concord Public Financial Advisors, Inc., principally represented by Mr. Christopher Gibbons, to advise and provide recommendations on the borrowing.

Mr. Gibbons has solicited proposals for bank loans, receiving 18 proposals from seven banks for both the new borrowing and also re-financing approximately \$6,450,000 of current debt incurred in 2010 and 2012.

Mr. Gibbons gave a brief presentation on the options available and is expected to recommend accepting a variable rate loan proposed by Jersey Shore State Bank. Re-financing the current debt will lower the interest rate being paid and lower the maximum rate for the 2012 note from 6% to 4.85%.

The agenda materials included the following items from Concord Public Finance:

1. The proposed financing schedule
2. Summary and comparison of bank loan vs. bond issue
3. Numbers for a bank loan
4. Numbers for a bond issue.

The Board agreed by consensus to proceed with a bank loan. Mr. Erickson stated that the Ordinance could be included in the November 1, 2017 Board of Supervisors Meeting.

7. ADMINISTRATION (Continued)

b. Pennsylvania Municipal League Summit

Supervisors Downsbrough and Treviño attended the Summit from October 5th through the 7th. The Manager and Director of Finance and Administration also attended.

Mr. Downsbrough stated that all the Resolutions were passed.

c. CATA Local Match Share

2018/19 Local Match Shares	Operating	Capital	Total
State College Borough	\$ 113,394	\$ 18,684	\$ 132,078
Ferguson Township	\$ 108,573	\$ 17,890	\$ 126,463
Patton Township	\$ 88,028	\$ 14,504	\$ 102,532
College Township	\$ 69,660	\$ 11,478	\$ 81,138
Harris Township	\$ 24,496	\$ 4,036	\$ 28,532
Spring Township	\$ 23,842	\$ 3,928	\$ 27,770
Belfonte Borough	\$ 19,950	\$ 3,287	\$ 23,237
Halfmoon Township	\$ 6,002	\$ 989	\$ 6,991
Benner Township	\$ 4,866	\$ 802	\$ 5,668
Penn State University	\$ 148,091	\$ 24,401	\$ 172,492
Total	\$ 606,902	\$ 100,000	\$ 706,902

The Centre Area Transportation Authority (CATA) has published the requested local match shares for our upcoming budget. The Operating share has increased 5.38% from last year and the capital share has decreased by 42.63%. The shares for all the participants are shown below. The full report on the calculation of the local shares is included with the agenda materials.

The Board stated they would not need any additional information no other action. The local shares above will be included in our 2018 Budget.

8. 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. Planning and Zoning

1. Final Lot Consolidation Plan - Russell Rossman, Jr - 597 West Hillside Avenue

From the October 2nd Planning Commission Agenda:

This plan was submitted on August 9, 2017 and proposes to consolidate the 0.52 acre property of Russell Rossman, Jr (Tax Parcel # 18-009-180) and a portion of a 20' wide unopened township alley, Boal Alley, to the rear of his lot (0.09 acres). The site is located at 597 West Hillside Avenue, in Park Forest Village, and is within the Low Density Residence (R-2) and I-99 Interchange Overlay zoning districts.

The 0.09 acres of the unopened township alley were acquired by Mr. Rossman through order of the Court of Common Pleas of Centre County in February 2, 2017. The judgment is attached for your review. The property was acquired through a process called “adverse possession.” Section 257.24. Procedures of the Pennsylvania Code defines adverse passion as follows (v) Adverse possession (squatters’ rights). Adverse possession is the acquisition of

8. **CONSENT AGENDA (Continued)**

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

1. **Final Lot Consolidation Plan - Russell Rossman, Jr - 597 West Hillside Avenue**

property by open, notorious, and continuous possession or use of the property for a period of 21 years hostile to the rights of the actual owner. The Form PA 9 should be signed in the legal name of the obligor and also in any other names by which he is known.

From the October 2nd Planning Commission Agenda:

An overview of the state's adverse possession laws are attached for your review. Patton Township provided a comment letter on the lot consolidation plan to the project engineer on August 16, 2017.

The following items were included with the agenda:

1. A location map of the property
 2. An 11"x17" copy of the subdivision plan
 3. A marked up copy of staff's comment letter
 4. Centre County Court of Common Pleas judgment in favor of Russell J. Rossman, Jr. (Docket No. 2016-2824)
 5. Overview of Pennsylvania's Adverse Possession Laws
- End of Planning Commission agenda information

The Planning Commission recommends conditional approval pending completion of any outstanding minor or technical items.

It is recommended that the Board approve the Plan as recommended by the Planning Commission

b. **Administration**

1. **KINBER Agreement**

This is the final step in switching to a 100Mbps Point-to-Point connection between Patton and State College Borough, up from the 30Mbps connection we currently have through Comcast. There is a one-time cost of \$29,650 to bring the KINBER fiber into the township building and a \$415 monthly fee for the service.

The agenda materials included an email from Supervisor Luck explaining how the system will work, the KINBER Master Services Agreement, and the PennREN Services Agreement.

It is recommended that the Board approve the Agreements and authorize the Manager to execute them on behalf of the Township

Mr. Downsborough asked that this item be pulled from Consent Agenda and if we move forward with this when would we be able to remove ourselves from the State College Borough Agreement. Mr. Luck stated that it is an open question whenever the issues come around again.

Mr. Pegher stated that he got quotes for IT services but the issue we have is we cannot do anything with the police cars.

8. **CONSENT AGENDA (Continued)**

b. **Administration (Continued)**

1. **KINBER Agreement**

Mr. Downsborough moved to approve the Kimber Agreement. Seconded by Mr. Luck, the motion passed 5-0.

2. **Award Contract for "Relamping the Meeting Room" Project**

On October 4, 2017 bids were opened for the subject project. One bid was received from PBCI- Allen Mechanical and Electric in the amount of \$30,220. The bid will be reviewed by the Manager and the project Architect. The Manager will provide a recommendation on awarding the project to the lowest responsible bidder.

It is recommended that the Board award the project as recommended and authorize the Chair to execute the contract on behalf of the Township

Mr. Downsborough asked that this item be pulled from Consent Agenda and is concerned because we only got one bid and asked Staff to get at least two or more bids in the future.

Mr. Downsborough moved to Award Contract for Relamping. Seconded by Mr. Luck, the motion passed 5-0.

3. **Voucher Report**

A copy of the September 2017 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 September 2017 Voucher Report

Mr. Luck moved to approve the Consent Agenda. Seconded by Mr. Downsborough, 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.

b. **Single Family Housing Starts Graph Q3 2017**

Mr. Erickson stated that the Single Family Housing Starts Graph for 2017 3rd quarter was included with the agenda materials.

c. **Appeal to Zoning Hearing Board for Cell Tower in the R-2 District**

Mr. Erickson stated that the application enclosed, narrative and exhibits included with e-agenda for the appeal for Cell Tower in the R-2 District.

d. **Letter of Support for Harrisburg Regional Chamber regarding Amazon HQ2 recruitment**

Mr. Erickson stated that enclosed with the agenda was a letter of support for Harrisburg Regional Chamber regarding Amazon HQ2 recruitment.

10. **COMMITTEE REPORTS**

Mr. Luck asked the Board to authorize the Chair to send a letter of support for the Grant for the I99/I80 interchange.

11. **OTHER BUSINESS**

There were no other business.

12. **ADJOURNMENT OR ADJOURNMENT TO EXECUTIVE SESSION**

Mr. Luck moved to adjourn the October 11, 2017 Board of Supervisors meeting to Executive Session. Seconded by Trevino, the Chair adjourned the meeting at 10:05PM.

13. **EXECUTIVE SESSION**

The Board did not meet in Executive Session

Douglas J. Erickson, Township Secretary