

**ATTENDANCE:**

BOARD  
Elliot Abrams, Chair  
George Downsborough, Jr., Vice-Chair  
Jessica Buckland, Supervisor  
Daniel Treviño, Supervisor  
Betsy Whitman, Supervisor

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

AUDIENCE  
C-NET (2)  
Mack Furlow, Landmark Construction  
Ambrose Heinz, Stevens & Lee  
Jeff Sturuiolo, Glenn O. Hawbaker  
Jim Payne, Resident  
Jeni Kocher Zerphy, Resident  
Matt Zerphy, Resident  
Mary Lou Dubil, Resident  
Tim Dunleavy, Resident  
Rick Maher, Resident  
Ryan Farr, Landmark  
Zack Mcdkeff, Landmark Construction  
Bill Perkins, Landmark Construction  
Nick Hunt, Landmark Construction  
Kathleen Domenig, Resident  
Brian Henry, Resident  
Dan Hawbaker, Resident  
Alicia Ko, Resident  
Nick Dubil, Resident

1. **CALL TO ORDER**

The February 14, 2018 Board of Supervisors meeting was called to order by Chair Abrams at 7:00PM.

Pledge of Allegiance

2. **APPROVAL OF MINUTES**

Mr. Treviño moved to approve the minutes of the January 24, 2018 meeting. Seconded by Mr. Downsborough, the motion passed 5-0.

3. **PUBLIC COMMENTS**

There were no public comments.

4. **PUBLIC SAFETY**

a. **2018 Junior Police Academy**

Chief Jolley stated that the Police Department will hosts a program for 15 to 18 year olds interested in careers in criminal justice. The 2018 Academy will begin on February 22<sup>nd</sup>. There is no fee to attend.

5. **PLANNING & ZONING**

a. **Update on the Patton Crossing Advisory Committee**

Mr. Garthe gave a brief report on the activities of the Committee, which last met on Monday, February 12, 2018. He stated that he is collaborating to get reports from residents for the Board to consider

Mr. Payne stated that he will be writing a letter and thanked the Board and staff for giving the residence a chance to have a say.

b. **Valley Vista Drive Intersection Improvements; Supplement for Easement Acquisition Agreement**

Mr. Casson stated that in 2017 the Township entered into an agreement with Arrow Land Solutions, LLC, to assist with acquisition of drainage easements required for the subject property. These acquisitions required considerably more contacts and correspondence with the property owners than typical and more than the original agreement anticipated.

The acquisition process is now nearly complete. Arrow has submitted a request to revise the cost estimate by \$2,556.74 as compensation for additional negotiation efforts.

The Manager recommends the Board approve the Supplement as presented.

The updated agenda materials include a letter from Arrow, the Supplemental Cost Estimate and a copy of the original cost estimate.

Mr. Downsborough moved to approve the Supplement as presented. Seconded by Ms. Whitman, the motion passed 5-0.

6. **ADMINISTRATION**

a. **A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting**

Mr. Pegher stated that at the December 13, 2017 meeting, the Board instructed the Manager to compose a resolution styled after the sample included in the agenda materials.

Included with your agenda materials was a copy of Resolution 2018-004 - A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting based on the sample provided.

Mr. Dunleavy gave a brief presentation of the Support of a Citizens Commission for Legislative and Congressional Redistricting and this map will be in the 2020 ballot.

6. **ADMINISTRATION (Continued)**

a. **A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting (Continued)**

Mr. Treviño moved to approve Resolution 2018-004 A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting. Seconded by Ms. Whitman, the motion passed 5-0.

b. **Noise Control Ordinance**

Mr. Pegher stated that during the January 2, 2018 Board meeting, a resident requested that the Board consider a Noise Control Ordinance for the Township. A DRAFT copy of the Ordinance is enclosed.

The board of supervisors may adopt ordinances in which general or specific powers of the township may be exercised, and, by the enactment of subsequent ordinances, the board of supervisors may amend, repeal or revise existing ordinances. All proposed ordinances, whether original, amended, repealed, revised, consolidated or codified, shall be published not more than sixty days nor less than seven days before passage at least once in one newspaper circulating generally in the township. Public notices shall include either the full text or a brief summary of the proposed ordinance which lists the provisions in reasonable detail and a reference to a place within the township where copies of the proposed ordinance may be examined.

Mr. Furlow stated that it will take construction longer to complete if hours are shortened.

Mr. Zerphy asked if that type of equipment (e.g. vibratory compactors) should be run at all within proximity of the properties involved. He stated that there needs to be more of an effort to inform residents.

Mr. Sturuiolo stated that they have cut back hours and addressed any complaints that have been brought up. He asked to be cautious about night work on highways when doing the noise ordinance.

Ms. Zerphy stated that it is hard to grasp how difficult it has been dealing with the noise of the construction.

Mr. Erickson asked Ms. Zerphy to email Mr. Pegher information about the links for the laws on the use of compactors close to buildings.

Mr. Pegher stated he will give neighbors a weekly update on the progress at the Station.

Mr. Downsborough stated that there is no objective standard for the noise that is not acceptable. He also noted that the officer that gets dispatched has to make the call if the noise level is acceptable or not. He asked why pass an ordinance if it is not enforceable. He stated that all that was done was taking State College Borough's ordinance and adapting it to fit for Patton Township. He stated that this ordinance should not affect the agricultural district.

Ms. Dupuis stated that the Board needs to look into an objective standard. She stated that other townships have decibel meters that go around to measure the decibels and thinks the Board should ask the Planning Commission look into this

6. **ADMINISTRATION (Continued)**

b. **Noise Control Ordinance (Continued)**

matter more.

Ms. Buckland stated that it doesn't seem to be enforceable and asked if other local townships have a noise ordinance. Mr. Erickson stated that he can ask other local municipalities.

Mr. Abrams stated that one thing to look into is cutting back on the hours. He suggested asking the Planning Commission to look into this further.

Mr. Hawbaker stated that Glenn O. Hawbaker had to do work at night when doing the Waddle Road Bridge and to put yourself in a box is not good. Mr. Erickson stated that working at night is currently reviewed on a case by case basis.

Mr. Abrams asked that the subject be reviewed and brought back in April for further general discussions.

c. **Open Container Control Ordinance**

Mr. Pegher stated that during the January 2, 2018 Board meeting, a resident requested that the Board consider an Open Container of Liquor Ordinance for the Township. A DRAFT copy of the Ordinance is enclosed.

The board of supervisors may adopt ordinances in which general or specific powers of the township may be exercised, and, by the enactment of subsequent ordinances, the board of supervisors may amend, repeal or revise existing ordinances. All proposed ordinances, whether original, amended, repealed, revised, consolidated or codified, shall be published not more than sixty days nor less than seven days before passage at least once in one newspaper circulating generally in the township. Public notices shall include either the full text or a brief summary of the proposed ordinance which lists the provisions in reasonable detail and a reference to a place within the township where copies of the proposed ordinance may be examined.

Mr. Treviño moved to approve consideration for the Open Container Control Ordinance at the February 28<sup>th</sup> meeting. Seconded by Ms. Whitman, the motion passed 5-0.

d. **Centre Region Council of Governments Ad-Hoc Building Committee**

During the January 22, 2018 COG meeting, the General Forum unanimously approved a motion that requests the municipalities advise the Executive Committee of their preference of the composition of an Ad Hoc COG Building Committee as follows:

**“That the General Forum, as recommended by the Executive and Finance Committees establish an Ad Hoc COG Building Committee to accomplish the mission statement discussed at the January 22, 2018 General Forum meeting. And further, that the municipalities advise their representatives to the COG Executive Committee about their preferences regarding the composition of the committee prior to its February 20, 2018 meeting.”**

6. **ADMINISTRATION (Continued)**

d. **Centre Region Council of Governments Ad-Hoc Building Committee (Continued)**

The mission of the Ad Hoc Building Committee would be to evaluate and prepare recommendations to the General Forum on facilities that are to receive a significant portion of their funding through the Centre Region COG. These recommendations are to:

- Recognize that a short-term plan is needed to address the existing lack of space in the COG Building. The short-term plan should include options to address this problem, including relocating staff to other COG facilities on a temporary or permanent basis.
- Include all COG funded facilities including the COG Building, Schlow Centre Region Library, CRPR Maintenance Building, the existing and proposed fire stations, the three regional parks, CRCA storage building, the two pools, the Active Adult Center, and the Millbrook Marsh Nature Center.
- Prepare a baseline assessment of, and five-year reassessments to measure how changes to existing facilities in terms of functionality, public access, adequacy of space, cost effectiveness of operations, condition of building systems, security and energy efficiency improve the building.
- Develop in collaboration with other boards, authorities, and commissions that are responsible for maintaining and developing the facilities that receive COG financial support.
- Strive to have existing COG buildings become more energy efficient by utilizing the results of baseline assessments (from bullet #3).
- Strive to have new COG buildings, constructed after 2025 to be net zero energy, waste, and water.
- Take into consideration new facility partnerships and ownership arrangements among COG agencies, municipal governments, and private groups.
- Serve as a clearinghouse for ideas from the municipal governments, authority, library boards, and community groups relating to the how COG's future facilities needs can be addressed.

If a new Ad Hoc Building Committee is approved the lead staff person would be the COG Finance Director. It is anticipated that the committee's initial meetings would be focused on reviewing the condition, operational needs, and ownership arrangement of the COG funded facilities. Given the comprehensive nature of this proposed mission statement it will be important that stakeholder groups – such as the Library Board, Parks and Recreation Authority, Public Safety Committee, Nature Center Advisory Committee – be aware of the new committee's efforts.

Mr. Treviño volunteered to be a representative along with Mr. Pegher. Mr. Abrams stated that he will be an alternate for Mr. Treviño.

6. **ADMINISTRATION (Continued)**

e. **Voucher Report**

Mr. Pegher stated that a copy of the January 2018 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

Mr. Treviño moved to approve the January 2018 Voucher Report. Seconded by Ms. Buckland, the motion passed 5-0.

7. **MANAGER'S REPORT**

a. **Water Level Survey Results**

Mr. Pegher stated that the Water Level Survey Results was included with the agenda materials.

b. **Audit**

Mr. Pegher stated that Mr. Downsborough asked about having the Auditors present their findings of the audit at the April 25, 2018 Board Meeting. The Board, by consensus, requested the presentation.

8. **COMMITTEE REPORTS**

a. **Public Safety**

Mr. Treviño stated that the Fire Director, Steve Bair, gave a year-end report.

b. **Finance**

Mr. Downsborough stated the Intergovernment Cooperation Act state law does not let COG directly borrow money. He stated that the Finance Committee approved Mr. Steff to send a letter to PA Representatives about changing this. He stated that Finance Committee authorized a new roof top unit for a fire station downtown that did not pass inspection.

c. **Public Services**

Ms. Whitman stated that Public Services discussed DEPs proposed regulations on the water temperature of Beneficial Reuse water as it goes out to the Kissinger Meadow. She stated that the Committee will be writing a letter to DEP requesting a waiver until UAJA has a time to do a study, which can take up to 3 years.

12. **OTHER BUSINESS**

Ms. Buckland asked if there have been any complaints about a ringing noise being heard on Douglas Drive. Chief Jolley stated that he is aware of this but is unsure what is causing the noise and will get back to Ms. Buckland.

13. **ADJOURNMENT**

Mr. Treviño moved to adjourn the February 14, 2018 Board of Supervisors meeting at 8:50PM. Seconded by Ms. Buckland, the motion passed 5-0.

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Douglas J. Erickson, Township Secretary