



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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BOARD OF SUPERVISORS and PLANNING COMMISSION

BOARD MEETING ROOM
PATTON TOWNSHIP MUNICIPAL BUILDING

**August 13, 2018
7:00 PM**

WORK SESSION AGENDA

1. CALL TO ORDER by Board Chair

Pledge of Allegiance

Please assist the Township by completing our [Website Feedback Survey](#).
Hardcopy is also available at the sign-in table. Thank you.

Please see attachment “Item 1, Meeting Conduct Policy”, for guidance on meeting decorum.

2. PUBLIC COMMENTS

Residents may address the Board and Planning Commission on issues of interest to the Township. Comments related to specific agenda items should be deferred until that point in the meeting.

To receive Board agendas via email, please email a request to patton@twp.patton.pa.us

3. PROPOSALS TO EXPAND PLANNING COMMISSION MEMBERSHIP

Two issues were raised in the July 18th Board meeting proposing adding alternate member to the Planning Commission. Excerpts from that agenda are included as attachment “Item 3.1”.

Statutory Authority

Patton Township is a political sub-division of the Commonwealth of Pennsylvania (as are all other municipalities in the state). Except for home-rule communities, municipalities in the Commonwealth are authorized to undertake certain governmental responsibilities through a set of state laws – the Borough Code, the Third Class City Code, the First Class Township Code, and (for Patton) the Second Class Township Code.

The [Second Class Township Code](#) lays out the duties, responsibilities and areas of authority that are or may be carried out by the elected body – the Board of Supervisors. Amongst these is Section 1516, Land Use Regulation, stating “The board of supervisors may plan for the development of the township through zoning, subdivision and land development regulations under the act of July 31, 1968 (P.L. 805, No. 247), known as the “Pennsylvania [Municipalities Planning Code](#).” (MPC)

Article II, Planning Agencies, of the MPC authorizes the “governing body of a municipality to create a planning commission (Section 202 – paraphrased).” Sections 202 through 207 then proscribe the parameters for a Planning Commission (full text of Article II is included with the agenda materials). See **Table 1** on the next page for a summary of the MPC regulations governing the appointments to, and operations of, a municipal Planning Commission.

Additionally, the [Second Class Township Code](#), in Section 403(b) authorizes elected Supervisors to serve as members of the planning commission. The number of Supervisors (or other “officers or employees of the municipality”) that may serve is limited by Section 205 of the MPC based on the size of the commission:

“On a commission of either six or seven members at least five shall be citizen members, and on commissions of either eight or nine members at least six shall be citizen members” where citizen members are not “officers or employees of the municipality.”

**3. PROPOSALS TO EXPAND PLANNING COMMISSION MEMBERSHIP
 (Continued)**

Statutory Authority (Continued)

Subject	MPC Section	Summary
Number of members	202	3 to 9 members
Compensation rate	202	no more than rate paid to Board members
Appointment	203a	by governing body
Term of office	203b	four years
Appointment to fill vacancy	203c	for unexpired term by governing body
Procedure to increase or decrease the number of members	203d	“by ordinance” Increase – by appointment Decrease – by attrition
Residency requirement	205	“shall be residents of the municipality”
Number of citizen members required	205	varies by size of commission
Removal of members	206	“for malfeasance , misfeasance , or nonfeasance ... by a majority vote of the governing body...”
Election of Officers	207a	Chair, Vice-Chair, others; 1 year terms
Procedures	207a	“commission may make ...rules to govern procedures consistent with ...”
Table 1. MPC Requirements for Planning Commissions		

The MPC also provides for the option of appointing up to three alternates to a Planning Commission (See **Table 2**) who would be called upon when needed to reach a [quorum](#) so that the PC can conduct meetings.

3. PROPOSALS TO EXPAND PLANNING COMMISSION MEMBERSHIP
(Continued)

Statutory Authority (Continued)

Subject	MPC Section	Summary
Number of alternate members	203e	1 to 3 alternate members, appointed by Resolution
Term of office for alternates	203e	four years
Right to vote for alternates	203e	“The right to cast a vote as a voting member during the proceedings” when seated pursuant to Section 207
Right to participate for alternates	203e	“may participate in any proceeding or discussion of the commission but shall not be entitled to vote” (unless seated as above)
Seating of Alternates	207b	“designated by Chair “to reach a quorum” for “any absent member or member who has recused himself or has been disqualified by the governing body”
Alternate participation	207b	“shall continue to serve ... in all proceedings involving the matter or case for which the alternate was appointed...until the commission has made a final decision on the matter or case”
Designation of Alternates by Chair	207b	“shall be made on a case-by-case basis in rotation (by) ... seniority ...”

Table 2. MPC Requirements for Planning Commission Alternates

Section 201 of the MPC requires that the creation of a Planning Commission, and changes of membership for same, must be enacted by ordinance. Within the [Code of Patton Township](#) Chapter 34, Planning Commission, establishes the current size at 7 members per Ordinance 83-186 (Codified 96-330). (included with the agenda materials as Item 3.3)

Any changes to the number of members on the Commission, or the appointment of any alternates, will need to be authorized through an Ordinance amending Chapter 34 of the Code.

3. PROPOSALS TO EXPAND PLANNING COMMISSION MEMBERSHIP
(Continued)

Options and Alternatives

The members of the Board of Supervisors and the Planning Commission may want to explore the options and alternatives available to expand the Planning Commission membership by considering and discussing these questions:

- 1a. Will expansion of the PC membership provide better oversight of development activities?
- 1b. Is expansion of the PC membership an appropriate means of providing additional oversight of development activities?
2. Should the PC membership be expanded to 8 or 9 “full” members?
3. Should Alternate members (from one to three) be appointed to the Planning Commission?
4. Should the “[quorum](#)” number be increased –
For a 7 member commission, from 4 to 5 or 6 members?
For a 9 member commission, from 5 to 6 or 7 members?
5. Should the Township continue to only appoint Citizen Members to the Planning Commission?

A draft Ordinance to potentially amend Chapter 34, Planning Commission, of the [Code of Patton Township](#) is included with the agenda materials as attachment Item 3.4.

Following Board/PC discussion and audience comments, staff should be provided direction on next steps for this matter.

4. OTHER BUSINESS

5. ADJOURNMENT

6. FOR YOUR INFORMATION

Upcoming meetings:

Wednesday, August 15, 2018 Minutes

Public Hearing: Amendment to NR-2 Zone Open
Space Requirement.
Noise Ordinance Consideration
July 2018 Police Report
Scotia/Circleville Intersection Study RFP
Funding for Curb Replacement on Local Streets
Planning Commission Report - Silvas
Planning Commission Items (tentative)
 Prel. Subd; The Reserve (SF homes)
 LDP; Aeropoint Duplexes (remove clubhouse)
Financial Trends Monitoring
Mid-year Financial Report
Board Input on Capital Improvement Plan
Sign Review Board Disposition
ABC Report
COG Items -- Program Plan and COG CIP
Voucher Report

Monday, August 27, 2018 COG General Forum

Wed., September 12, 2018 Minutes
August 2018 Police Report
Planning Commission Report - Domico
Planning Commission Items
Board Input on Capital Improvement Plan
Bid Awards: Insurance Services
COG Items
Voucher Report

Wed., September 26, 2018 Minutes
Board Input on Capital Improvement Plan
Minimum Municipal Pension Obligation (MMO)
COG Items

Monday, September 24, 2018 COG General Forum