

ATTENDANCE:

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

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

ABSENT Elliot Abrams, Chair

AUDIENCE C-NET (3)
Ryan Conrad, Developer
Dale Lamke, Resident
John Haschak, GOH Attorney
Bill Ebken, Resident
Amy Kerner, State College Boro
Kathleen Domenig, Resident
Lynne DeLuca, Resident
Christian Connell, Resident
Gary Hartman, Resident
Scott Miller, Resident
Josh Inwood, Resident
James Lundy, Resident
Tony Fruchtl, Penn Terra Eng.
Jim Payne, Resident
Bill Newton, Resident
Brian Henry, Resident
Tim Harlow, Resident
Jennifer Connell, Resident
James Bennett, Resident

1. CALL TO ORDER

The June 20, 2018 Board of Supervisors meeting was called to order by Vice-Chair Downsborough at 7:00 PM.

Pledge of Allegiance

2. APPROVAL OF MINUTES

Mr. Treviño moved to approve the amended May 23, 2018 Board of Supervisors Meeting Minutes. Seconded by Ms. Buckland, the motion passed 4-0.

3. PUBLIC COMMENTS

Mr. Bennett asked if there is any updates on the intersection at Circleville Road and Scotia Road.

Mr. Casson stated that it is on the Capital Improvement Program List some painting of the lines was done last year to help motorists at the intersection..

Mr. Erickson stated that the stop sign was also moved forward and we will at what information is available that can be brought to next the BOS meeting.

Ms. Whitman asked if anything can be done about the overgrown bushes.

Mr. Erickson stated that we can have the crew trim back shrubbery to the right-of-way line.

4. **PUBLIC SAFETY**

a. **Police Update**

Chief Jolley stated that the May 2018 Public Safety was included with the agenda materials and gave a brief overview of the report. He stated that Officer Shaffer was promoted to the Tactical Team, Officer Tom Snyder was promoted to Detective, Officer Brad Tuskovich was promoted to Community Relations/School Resource Officer. He stated that he has started working on a policy for the use of body cameras and working on getting quotes on cameras and checking with IT.

Chief Jolley introduced the newest member of the Department, Officer Mitchell Snyder.

b. **Fireworks and Act 43 of 2017**

Chief Jolley gave a brief overview of the changes made by the State in 2017 to fireworks regulations. The agenda materials included a memo from the Chief, an FAQ piece from PSATS and a copy of the legislation.

5. **PUBLIC WORKS**

a. **116 Heiskel aka Graycairn Park**

Mr. Erickson stated that at the [April 25th](#) meeting, Ms. Jodi Liedig, a Halfmoon Township resident addressed the Board and asked if the Township owned property at 116 Heiskel Drive was available for purchase as a home lot. This lot was dedicated (i.e. deeded over) to the Township in 1988 to fulfill the parkland requirement for the Graycairn subdivision; the Township does not have any plan to develop the lot for active recreational use. In response to Ms. Liedig, the Manager and Solicitor stated that they would need to check and see if that was a possibility. A location map of the property is included with the agenda materials.

The Solicitor reviewed the deed and subdivision plan for the property and offered the following advice: "the Township has the right to use the property for public use and/or dispose of the same as it has done with other properties within the Township.

Should the Board make the decision to sell this lot rather than develop it into a park, a matter that has not occurred as of this date, the township would be able to do so under its normal sale of asset procedures. As we discussed, the Township would have to accept bids for the property.

My assumption is that the revenues generated from the sale of this property would go into further park projects within the Township as the specific dedication was for that use."

In May a neighboring resident emailed (included with agenda materials) the Township regarding the maintenance of the "Graycairn open space." They Manager responded that the Township had:

". . . received an inquiry into potentially selling that lot for a home site. No decision was made at that time other than to schedule the matter for a future discussion at their June 20, 2018 meeting. At that time I expect the Board will be interested in exploring all possible options for the property - including your suggestion. That meeting will begin at 7 pm and will be held at the Township office building."

5. PUBLIC WORKS (Continued)

a. 116 Heiskel aka Graycairn Park (Continued)

Following the Manager's reply, the neighbor filed additional comments (included with agenda materials) objecting to any sale.

The Board should provide an answer to the original request from Ms. Liedig.

Following an introduction of the matter, the Board could consider any of the following items, or a combination, for action and/or identify additional information required and direct staff to locate and prepare the information for the next meeting.

Options (not an exhaustive list)

- Maintain status quo – retain the parcel as parkland
- Refer issue to the Recreation Advisory Board for a recommendation
- Survey the Graycairn households on the issue
- Auction parcel as a homesite
- Auction parcel as an open space lot

Mr. Treviño stated that there is no need to dispose of the lot at this time and Mr. Downsborough agreed.

Ms. Whitman stated that she would like the Recreation Advisory Committee to look into this more.

Ms. Buckland stated that she does not have strong feelings about it and if the proceeds would support park land somewhere else she would be ok with it.

Mr. Downsborough asked who is responsible over these small park properties. Mr. Erickson stated that the Recreational Advisory Committee is.

Ms. Whitman moved to have the Graycairn Park request forward to the Recreational Advisory Committee. Seconded by Ms. Buckland, the motion passed 4-0.

Mr. Connell stated that when he purchased his home beside this property he was told the property was public land that could not be developed. He stated that if there was development there it would change the character of the street and views. He asked for serious consideration on how this would affect the neighborhood.

Mr. Inwood stated that he is against selling this property and stated that the property is a habitat for song birds. He urged the Board to take consideration of keeping it as open space.

Mr. Ebken asked if the deed was reviewed for this property. Mr. Downsborough stated that the Solicitor has reviewed it and provided her opinion. Mr. Ebken stated that the deed states that this deed is dedicated to fulfill public land usage.

Mr. DeLuca stated that he urges the Board to do the best interest of the community.

5. PUBLIC WORKS (Continued)

a. 116 Heiskel aka Graycairn Park (Continued)

Ms. Whitman stated that this is about as much about process as a plot of land. She stated that the community is Patton Township as a whole.

Mr. Downsborough stated that he is against it even if it comes back to the Board.

Ms. Connell stated that the neighbors share a community well and this could put additional stress on the well.

Ms. Buckland stated that she is against selling this lot.

Ms. Whitman withdrew her motion to send this to RAC.

Mr. Treviño moved to keep Graycairn Park as parkland. Seconded by Ms. Whitman, the motion passed 4-0.

Mr. Erickson stated that the policy of upkeep on the parcel will be sent to RAC and will be brought back to the Board.

b. Update to Open Space Regulations for New Acquisitions

From the [May 23rd Board of Supervisors Agenda](#):

Following acquisition of the Haugh Family Farm Open Space in 2006, the Township established regulations governing conduct for visitors to the Open Space. These regulations are contained in Chapter 110, Open Space and Recreation Areas, of the Patton Code.

From the [May 23rd Board of Supervisors Agenda \(Continued\)](#):

In December 2017 the Township acquired new Open Space properties in Gray's Woods and Toftrees. In May 2018, the Open Space Stewardship Committee (OSSC) reviewed the acquisition and character of these properties and provided a recommendation that Chapter 110 be updated to add these properties to the Open Space inventory and establish specific permitted and prohibited activities for each property.

The Manager will provide a brief overview of the Township's Open Space Program, the December 2017 acquisitions, and recommended changes to Chapter 110. ([These agenda materials were included with the May 23rd Agenda](#)):

- Brief History/ Time Line of Open Space Program-- Attachment 7b.1)
- Financial summary of December 2017 Acquisition -- Attachment 7b.2
- Gray's Woods Preserve mapping -- Attachment 7b.3
- Toftrees Rails to Trails and Conservation Easement mapping --Attachment 7b.4
- Proposed Amendments to Ch. 110 – Regulations for Open Space Use
 - Red Line - Attachment 7b.5
 - Draft Ordinance – Attachment 7b.6

As a condition of subdivision approval for the Gray's Woods Preserve, Patton Township agreed to provide the Halfmoon Township Supervisors an opportunity to review and comment "upon

5. PUBLIC WORKS (Continued)

b. Update to Open Space Regulations for New Acquisitions (Continued)

any open space management provisions that will guide use of the (portion of the) parcel (in Halfmoon Township), including any future amendments and management practices.”

End of Board of Supervisors Agenda materials:

The Halfmoon Township Supervisors reviewed the proposed regulations at their June 14th meeting and had no comments.

Following discussion by the Board and comments from the audience, the Board should consider action to schedule the proposed Ordinance 2018-593 (included with the agenda materials) for action at the July 18, 2018 meeting.

Ms. Whitman moved to include the Ordinance 2018-593 Update to Open Space Regulations for New Acquisitions at the July 18, 2018 Meeting. Seconded by Ms. Buckland, the motion passed 4-0.

6. PLANNING AND ZONING

a. Planning Commission Report

Mr. Schmidt stated that the Planning Commission met and discussed 1980 N Atherton Street redevelopment proposal and the Committee was concerned about proper signage and lightening at Cornflower Lane. He stated that two representatives from Sheetz came to discuss electric charging stations at their work session.

b. Subdivision Plan; Confer Farm Replot

From the [June 4th Planning Commission Agenda](#):

This plan was submitted on May 1, 2018 and proposes to reconfigure Lot 1 of the Confer Farm Subdivision, which is located along Buffalo Run Road (SR 550) in the Rural (A1) District of Patton Township. Lot 1 will decrease from 29.76 acres to 27.66 acres and become Lot 1R, while Tax Parcel 18-2-11C will increase from 0.87 acres to 2.97 acres. Lots 1R and 2 have existing single family homes on them, and a new house will be built on Tax Parcel 18-2-11C. The properties are accessed via a 50 foot wide private shared driveway easement; Confer Farm Lane. The site is outside the Regional Growth Boundary and Sewer Service area, so on-lot septic systems and private wells will be utilized for the residences. The Township provided a comment letter to the applicant on May 18, 2018.

The following items are 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

End of the Planning Commission Agenda material

The Planning Commission recommended conditional approval pending completion of all items noted on staff's marked up comment letter.

6. **PLANNING AND ZONING**

b. **Subdivision Plan; Confer Farm Replot**

Following an introduction from the Planner and comments from the applicant's representative, the Board should discuss the plan and take comments from the audience.

Mr. Treviño moved to conditionally approve the Subdivision Plan; Confer Farm Replot as recommended by the Planning Commission. Seconded by Ms. Buckland, the motion passed 4-0.

c. **Land Development Plan; Two Tenant Retail Site at 1860 North Atherton Street (former Denny's Restaurant site)**

From the [June 4th Planning Commission Agenda](#):

This plan was submitted on May 4, 2018 and proposes demolition of the former Denny's Restaurant at 1860 North Atherton Street, and the construction of a new 5,402 ft² two-tenant retail building. The 0.69 acre site is located in the General Commercial (C1) zoning district, across from the Trader Joe's Plaza. The proposed tenants include a Sleep Number bedding store, and a Chipotle restaurant. The restaurant will include 1,100 ft² of indoor seating and 300 ft² outdoor seating at the front of the store. The existing parking lot will be removed and replaced with 37 new asphalt parking spaces (2 ADA). A short section of asphalt sidewalk that exists along the property frontage does not meet current township standards, and will be replaced with a concrete sidewalk that meets the current construction standards.

Currently, the site is accessed from North Atherton Street (SR 3014) and Cornflower Lane (Private Alley), but vehicles are prohibited from exiting the site by turning onto North Atherton Street and must utilize Cornflower Lane to exit the site. However, this land development plan proposes a "right turn only" exit onto North Atherton Street, which will need to be reviewed and approved through the PennDOT Highway Occupancy Permitting (HOP) process, including revisions to the traffic signal permit. The HOP process requires a Driveway/Local Road Permit when there is a proposal to install, alter, or remove a driveway, street or other means of passage of vehicles between a PennDOT roadway and an abutting property. Per §508(6) of the PA Municipalities Planning Code (MPC), no plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to section 420 of the act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law," before driveway access to a State highway is permitted. Accordingly, a condition of approval related to this requirement has been added.

In addition, CATA provided comments to the developers related to the addition of a sidewalk and crosswalk connecting the sidewalk along North Atherton Street to the building. The applicants have submitted a sketch plan to accommodate this request, and staff recommends this as a condition of approval as long as it does not increase the impervious coverage of the site beyond the permitted 75% coverage.

6. PLANNING AND ZONING (Continued)

c. Land Development Plan; Two Tenant Retail Site at 1860 North Atherton Street (former Denny's Restaurant site) (Continued)

From the June 4th Planning Commission Agenda (Continued):

The Township provided a comment letter to the applicant on May 18, 2018. The following items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the REVISED land development plan
3. A marked up copy of staff's comment letter
4. CATA comment letter

End of the Planning Commission Agenda material

The Planning Commission recommended conditional approval pending completion of these items:

1. Completion of all items noted on staff's marked up comment letter.
2. Addition of a plan note, per the PA Municipalities Planning Code §508(6) indicating that the proposed exit onto North Atherton Street is required to obtain approval of a PennDOT Driveway/Local Road Highway Occupancy Permit, including revisions to the traffic signal permit, pursuant to section 420 of the act of June 1, 1945 (P.L.1242, No.428), known as the "State Highway Law," before driveway access to a State highway is permitted.
3. Addition of sidewalk and crosswalk connecting the sidewalk along North Atherton Street to the building (impervious coverage to be verified by staff prior to recording).

Mr. Garthe gave a brief overview of the Land Development Plan.

Ms. Buckland moved to conditionally approve the Land Development Plan; Two Tenant Retail Site at 1860 North Atherton Street as recommended by the PC. Seconded by Mr. Treviño, the motion passed 4-0.

d. Request for Amendment to the NR-2 (Natural Resource and Recycling) Zoning District

From the [April 11, 2018](#) Board of Supervisors Agenda

The Borough of State College (Borough) operates a leaf/grass/organics composting operation on a site formerly referred to as the "the old Borough dump." This is the site of a closed, former landfill utilized by the Borough of State College more than 30 years ago. GOH Recycling Center, at 110 Hawbaker Industrial Drive, also operates on this site accepting and recycling construction materials. The site is bounded by I-99, the Colonnade, the Otto's property along N. Atherton Street and the businesses on the east side of Hawbaker Industrial Drive.

The property was originally zoned NR-1 (Natural Resource) which permitted very little development of the property. The Borough's leaf composting operation, which pre-dated zoning, was then a legal, non-conforming use on the parcel.

The NR-2 Zone was created in 2006 specifically for this property to permit the planned recycling center and make the leaf composting a conforming use. Under Pennsylvania

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

d. **Request for Amendment to the NR-2 (Natural Resource and Recycling) Zoning District (Continued)**

law, municipalities have a greater ability to manage “conforming uses” as opposed to “legal, non-conforming uses.”

A request has been submitted to the Township stating that the Borough “is proposing to expand the composting capacity ...” at this site and they ask the Board of Supervisors to consider a reduction in the required open space component of the site from sixty percent (60%) to forty percent (40%). The request further states “This would increase the availability of land for the continued recycling and composting of yard waste.”

The request letter, a location map and the NR-2 regulations were included with the agenda materials.

End of Board Meeting Agenda materials

From the [June 4th Planning Commission Agenda](#):

The Board of Supervisors referred the matter to the Planning Commission for study and a recommendation, and the issue was discussed at the May 7, 2018 Planning Commission work session. Tim Harlow, Hawbaker Engineering, explained that the Borough needs the additional space for its composting operation in order to process additional organics that are expected when organics recycling is offered region-wide in the future.

From the June 4th Planning Commission Agenda (Continued):

The Planning Commission members unanimously directed staff to draft an ordinance to revise the NR2 district open space requirements as requested. The draft ordinance is being presented at tonight’s meeting.

The following items were included with the agenda:

1. Request letter from the project engineer
2. A location map of the NR2 district
3. Draft Ordinance: *Reduction of Open Space Requirements in the Natural Resources and Recycling District*

End of the Planning Commission Agenda material

The Planning Commission recommended approval.

Following an introduction from the Planner and comments from the applicant’s representative, the Board can discuss the request and take comments from the audience.

If the Board of Supervisors concurs with the Planning Commission recommendation, a Public Hearing must be held prior to any Board action. The first available regular Board meeting date to hold a Hearing is August 15, 2018.

Ms. Buckland moved to schedule a Public Hearing for the Amendment to NR-2 for August 15, 2018. Seconded by Mr. Treviño, the motion passed 4-0.

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

e. **Development Notice Signage Resolution**

From the [May 23rd Board of Supervisors Agenda](#):

At their [April 25th](#) meeting, the Board reviewed a draft ordinance to require developers to post large signs notifying the public that a proposal is under review by the Township. A review of practices not mandatory for developers, but was undertaken as a public service by the Township staff.

The Manager has re-configured the ordinance into the form of a Policy resolution (see Red-line included with the Agenda materials) to establish a new practice going forward. The Manager will provide a brief overview of the first draft of the Resolution, included with the agenda materials, and update the Board on sign acquisition.

End of Board Meeting Agenda materials

Following comments at the May 23rd meeting suggesting that additional information should be included (dates, times, meeting location) on the signs, the Board decided to proceed as proposed for now, and evaluate the need for any changes or additions to the signs after they have been in use for a while.

The Board should take comments from the audience, discuss the matter and then consider action on proposed Resolution 2018-009.

Ms. Whitman moved to approve Resolution 2018-009. Seconded by Ms. Buckland, the motion passed 4-0.

f. **Signage Regulations Change Request - Flags**

A representative of Glenn O. Hawbaker, Inc. (GOH) has submitted a request (included with the agenda materials) asking the Township to consider a change to the signage regulations to permit a flag.

Chapter 140 (Signs) of the [Patton Township Code](#) provides regulations on signage.

Section 140-7J (Signs prohibited in all districts) currently prohibits the following items from being used for commercial advertising:

“Searchlights, pennants, spinners, banners and streamers”

Sections 140-8 (Limit on number of signs per premises) and 140-10 (Limit on sign area) constrain the number and total size of signs that can be installed on a site for commercial advertising.

In their request, GOH does not request any increase in the overall signage but suggests that a corporate flag might be counted as part of the permitted signage for the site.

Following a brief presentation from the requestor and comments from the audience, the Board should consider action on the request. The Manager recommends referring the request to the Planning Commission for review and a recommendation.

6. PLANNING AND ZONING (Continued)

f. Signage Regulations Change Request – Flags (Continued)

Mr. Haschak gave a brief overview of the Signage Regulations Change Request for Flags.

Mr. Treviño moved to send the Signage Regulations Change Resolution to the Planning Commission. Seconded by Ms. Buckland, the motion passed 4-0.

7. ADMINISTRATION

a. Website Upgrade Update

The [2018 Budget](#) includes funding for migrating and/or upgrading the Township's website to a new platform and/or vendor. It has also become apparent of late that they are opportunities to improve the Township's overall communications activities with residents, tax payers, businesses, and other interested parties. These two items are related and may influence the types of software that may be considered for the website and/or communications. A subcommittee of Supervisors Whitman and Buckland, and the Manager and the Director of Finance and Administration have been working on the upgrade effort.

Mr. Pegher stated that right now there are 6 possible vendors and at next meeting hoping to get it down to 3 then start getting some bids and website needs.

b. Council of Governments (COG) 2019 Program Plan elements

The [COG](#) plans to publish their Draft 2019 Program Plan in July. Due to our summer meeting schedule the Patton Township Board would only get one opportunity to review and comment on the document at a regular meeting.

The [June Executive Committee agenda](#) included a summary of Program Plan Proposals. This document (included in the agenda materials) can be utilized for an initial review by Township staff and elected officials. Topics included in the Proposal include:

Administration	Website upgrade, 50 th anniversary celebration, Forum sound system upgrade
Refuse/Recycling	Move Program Administrator to full-time,
Building Capital	COG building audit
Codes / New Const.	Start an SEO program, add a Comm. Plans Examiner/ Inspector, review software needs
Codes/ Capital	Office space addition,
Schlow Reg. Library	4 new personnel
Fire Protection	Increase in volunteer stipend

Emergency Mgmt	Vehicle replacement
Parks & Rec	Equipment purchases
Nature Center	Move staff assistant to full-time
MMNC – Capital	Funding for Phase II of Education Building

At this time, the Manager suggests that the Board members review the proposals from COG and identify any questions they have or additional information they believe would help in evaluating the proposals. These questions and requests for information will be forwarded to COG.

7. ADMINISTRATION (Continued)

b. Council of Governments (COG) 2019 Program Plan elements (Continued)

For the July Board meeting, staff will prepare the matrix of the proposals included in the Program plan, and add Township staff comments where relevant, and provide space for Board responses.

The Board members are asked to identify any questions they have or additional information they believe would help in evaluating the proposals and rendering comments at the July Board meeting.

c. Draft Resolution to Establish a Public Meeting Conduct Policy

From the [May 23rd Board of Supervisors Agenda](#):

Municipalities have a substantial public interest in orderly public meetings, all the while recognizing that the First Amendment and the Sunshine Act provide citizens, residents and taxpayers rights to freedom of speech, public comment and public participation. However, the First Amendment does not say that citizens can say anything they want whenever they want for any reason.

To serve the residents and taxpayers it is vital that the Board of Supervisors, the Planning Commission; and the other Authorities, Boards, and Commissions; have the opportunity and means to allow the municipality to conduct its business. Some municipalities in Pennsylvania have faced concerted efforts to disrupt public meetings and prevent the conduct of municipal business. Municipalities have the legal authority to remove disruptive persons from a public meeting under certain circumstances, but the Township also has a responsibility on their side as well to establish a clear policy of conduct for all to observe.

Best practices are to (1) have written rules of meeting conduct and policy, (2) to notify the participants of the rules (either by posting them, handing them out at each meeting or both), and (3) applying the rules consistently in all situations. A sample draft resolution is provided for discussion and consideration.

End of Board Meeting Agenda materials

Supervisor Downsborough provided an overview of the proposed policy. The Board discussed the matter and several comments were offered from the audience, predominately with respect to the 1st Amendment to the US Constitution, and from the Solicitor, with respect to the PA Sunshine Act and precedents for establishing time limits on public comments.

7. **ADMINISTRATION (Continued)**

c. **Draft Resolution to Establish a Public Meeting Conduct Policy (Continued)**

To assist with preparing a final draft Supervisor Downsborough is developing a matrix for gathering comments on the various elements of the policy. Comments on the policy can be provided to Mr. Downsborough at his [Township email address](#).

Following Board discussion, comments should be taken from the audience. A final draft will then be prepared for review and potential action at the July Board meeting.

Mr. Miller stated that he is concerned about “speaking once” and want it to be equal for community and developers.

Mr. Downsborough stated that one of the things this is to convey that all comments need to be directed to the Supervisors and not the developers or residents.

Mr. Payne stated that he has same concerned about being able to come back to comment.

Ms. Buckland stated that this helps more people by setting boundaries.

Ms. Whitman stated that having a time limit is very standard.

Ms. Dupuis stated that this is a great start and that the County has a great policy that she will forward to the Board. She stated that this works across the Board.

Mr. Downsborough stated he will modify the draft before the July BOS Meeting.

d. **Pennsylvania Municipal League’s Annual Summit – October 4-6**

The [118th Annual Summit](#) (formerly the Annual Convention) will be held this year in Cranberry Township from October 4 – 6. The convention hotel is the Pittsburgh Marriott North.

Board members should indicate who plans to go and for which nights they need hotel accommodations.

From the members planning to attend, the Board can consider action to appoint one as the Voting Delegate and another as the Alternate Voting Delegate.

The tentative agenda for the Summit is expected soon.

Mr. Downsbrough stated he wants to attend.

Ms. Buckland stated she wanted to go.

Mr. Downsbrough moved to appoint Ms. Buckland as Voting Delegate and himself as Alternate.

DRAFT

7. **ADMINISTRATION (Continued)**

e. **Noise Discussion**

From the [April 11th Board of Supervisors agenda](#):

In February the Board reviewed a proposed Noise Ordinance, modeled on regulations in place in the Borough of State College. Several issues were raised regarding the proposed ordinance and other noise-related matters. The proposed ordinance was tabled by the Board and the Chair directed the Manager to bring the issue back for discussion in April.

From the [April 25th Board of Supervisors agenda](#) and [Update](#):

Issues identified in February and confirmed in April included (but were not limited to):

Construction Activities – Policy needed? Restrictions on certain equipment? Issues with phased developments.

Enforceability of subjective noise standards - What is record/ experience in State College Borough and other jurisdictions? Case law and legal precedents? Pros and cons of objective standards for noise enforcement.

Chief Jolley has compiled a report on the “Enforceability of subjective noise standards” and related topics. This is provided for the Board’s information only at this time -- the subject will be included in a future Board agenda.

End of Board Meeting Agenda materials

The Agenda materials include:

- Resolution 2018-007 – Hours of Construction Policy (7am to 7pm)
- Chief Jolley’s April 19th research information with copies of regulations from Ferguson Township and State College Borough
- First draft of Ordinance based on Ferguson Township model

The Board should review the agenda materials and be prepared to provide comments or offer changes to the draft ordinance. Following Board discussion and comments from the audience, the Board should provide direction to the Manager on updating the draft ordinance or other next steps for this matter.

Mr. Downsborough stated that he made a lot of comments recently because of how Ferguson and Patton Township’s Ag Zones are completely different. He stated that his property maintenance activities are not commercial agriculture which could create a problem. He also would like to see a few more exemptions. Mr. Erickson stated that he will work with Chief about property maintenance.

Mr. Miller stated that he brought this before the Board because he felt there was a need for it in the Township. He stated his reason for this is because of increase of students blaring music and loud noisy events.

Mr. Newton stated one of the things the Board needs to be concerned about is decisions on rezonings and recognizing that the parts that were previously rural are no longer rural.

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. Public Works

1) “Pulled Item” -- Bid Award: Valley Vista Left Turn Lanes

The Public Works Director has solicited bids for the subject project. Two bids were opened on June 15th and are being reviewed by the consultant.

Mr. Erickson stated that HRI had the lowest bid but the Township is \$160,000 short of available funds and to move this project forward we need to reduce the scope or find additional funding.

Ms. Buckland asked why the estimate is so different from bids. Mr. Erickson stated that their original numbers were a couple of years old and this is rarely a perfect process.

Mr. Treviño moved to award the project to HRI, defer Waddle Road Traffic Study Widening to 2019 and use the funding to finish this project. Seconded by Ms. Whitman, the motion passed 4-0.

b. Administration

1) Drive Forward Initiative Letter of Support

The CEO from the Chamber of Business and Industry of Centre County made a presentation to the Board at their May 23rd meeting and requested a demonstration of support for the *Drive Forward* initiative for I-99 and US 322. In the interim we have learned that the Federal Highway has awarded a \$35 million grant for the I-99/I-80 high-speed interchange. However the need to advocate for the final link in US 322 still exists. A draft letter of support is included with the agenda materials.

It is recommended that the Board approve and sign the Letter of Support

2) May Voucher Report

A copy of the May 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.

It is recommended that the Board approve the May 2018 Voucher Report.

8. **CONSENT AGENDA (Continued)**

b. **Administration (Continued)**

3) **CATA Budget Resolution (Continued)**

CATA has published their "Local Match Shares" document for the 2018/2019 operating year. A copy was included with the [May 23rd](#) agenda materials.

The proposed shares for Patton Township are:

	Operating Total Revenues	\$	19,495,697		
	Local Operating Assistance	\$	606,902	3.1%	
	<u>Patton Township's share</u>	<u>\$</u>	<u>88,028</u>	<u>14.5%</u>	
Capital	Total Capital Funding Need	\$	8,501,309		
	Local Capital Match Need	\$	100,000	1.2%	
	<u>Patton Township's share</u>	<u>\$</u>	<u>14,504</u>	<u>14.5%</u>	

The Draft 2018-2019 CATA Budget is available on their website; <http://www.catabus.com/AboutCATA/Budget/Budgets/FY20182019DraftBudget.pdf> or <http://www.catabus.com/AboutCATA/Budget/index.html>.

The draft Resolution for making quarterly contributions to CATA is included in the agenda materials.

It is recommended that the Board approve Resolution 2018-010

Ms. Buckland moved to approve the remaining items from the Consent Agenda. Seconded by Mr. Treviño, the motion passed 4-0.

9. **MANAGER'S REPORT**

a. **2017 Census Estimates**

Mr. Erickson stated that the 2017 Census Estimate is 16,038 and the CRPA Report was included with the agenda materials.

b. **CATA Letter of Support for Articulated Bus Grant (enclosed)**

Mr. Erickson stated that he enclosed a letter of support for CATA for a bus grant.

c. **2018 DCED Township Supervisors Handbook**

Mr. Erickson stated that a digital copy of the 2018 DCED Township Supervisors Handbook was sent out to Board Members.

d. **Upcoming Events**

- [1] July 4, Independence Day, Office closed
- [2] July 11, Patton Crossing Public Hearings, PFMS Auditorium
- [3] September 3, Labor Day, Office closed
- [4] Children's Safety Fair, September 8th, Target parking lot

10. **COMMITTEE REPORTS**

a. **Transportation and Land Use**

Ms. Whitman stated that CATA has proposed several changes in their routes.

Mr. Miller stated that there will be no longer CATA routes on Waddle Route or Clearview Avenue.

b. **Parks & Rec Regional Comp Plan**

Mr. Erickson stated that the following are notes from the agenda:

- At the June 5, 2018 meeting a new Committee member was introduced as the representative from the State College Area School District (SCASD).
- The RFP was discussed and finalized and will be presented to both the COG Executive Committee and the General Forum in June.
- Pending their approval, the RFP will be advertised July 1, 2018 with proposals to be opened on August 7, 2018.

c. **Public Safety**

Mr. Treviño stated that most of the meeting was to go over the 2019 Program Plan. He stated that there was one request for a Budget Amended to purchase Two-Way Radios.

d. **Finance**

Mr. Downsborough stated that the Finance Committee discussed the Two-Way Radios and that Mr. Steff was encouraged to come up with a Budget Amendment Policy and they are going to put out an RFP for an auditor.

e. **Parks Capital**

Ms. Whitman stated there was a discussion about the Parks Capital Committee Responsibilities.

f. **Centre Area Cable Consortium**

Mr. Downsborough stated that there was a C-NET needs assessment done by a consultant that the report was accepted by the Committee.

g. **PML Sustainability Conference**

Ms. Buckland stated that there was discussion on Comprehensive Plans and that she received some good materials.

Mr. Downsborough asked if the Urban Agriculture documents from Allegheny County Planning existed when we worked on our chicken ordinance. Mr. Downsborough stated that we might want to contact them for this information.

11. OTHER BUSINESS

Ms. Whitman moved to authorize the township manager to contact federal elected officials representing all or part of Patton Township on behalf of the supervisors and urge them to take whatever action is within their authority to end the policy of separating children from their parents at the border. Seconded by Mr. Treviño, the motion failed 1-3.

Mr. Treviño stated he agrees on this as a personal matter but is reluctant with having the Board part of these current political controversies.

Ms. Buckland stated that she does not feel comfortable doing this with her role as a Board Member.

Mr. Downs brough stated he agreed with his peers.

12. ADJOURNMENT

Mr. Treviño moved to adjourn the May 23, 2018 Board of Supervisors meeting at 7:52 PM. Seconded by Ms. Whitman, the Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary