

ATTENDANCE:

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

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

ABSENT Elliot Abrams, Chair

AUDIENCE C-NET (3)
Candace Kent, Resident
Mark Paritt, CATA Rep.
Kathleen Domenig, Resident
Brian Heiser, SCBWA
Bob Chandler, Resident
George Ward, Resident
Mike Smith, Resident
Pat Morse, Resident
Mike Straton, Resident
Bob Poole, S&A Homes
Alicia Cornalia, S&A Homes
Kevin Abbey, Clearwater
Scott Miller, Resident
Jeff Warner, Resident
Georgia Abbey, Leadership Centre County
Pam Adams, COG
Brian Henry, Resident
Eric Bernier, CATA
Bob Hazelton, Resident
Katie Ombalski, Harris Township Resident
Jim Steff, COG
Nicole Morgan, Resident
Michael Pratt, Keller Engineer
Doug Keith, CATA

1. CALL TO ORDER

The October 24, 2018 Board of Supervisors meeting was called to order by Vice Chair Downsborough at 7:00 PM and led the Pledge of Allegiance

Mr. Downsborough stated that the Board of Supervisors met in Executive Session on October 24th at 1:30 pm, along with the Township Manager and the Police Chief, to receive legal advice from the Township Solicitor.

2. APPROVAL OF MINUTES

Ms. Whitman offered a change to page 2 of the minutes.

Dr. Buckland moved to approve the amended minutes of the October 10, 2018 Board Meeting. Seconded by Mr. Trevino, the motion passed 4-0.

3. PUBLIC COMMENTS

Mr. Miller stated that next Wednesday is Trick or Treat night and he will have speakers set up with sound and will turn speakers off once it is over. He also wanted to remind people to be observant of the trick or treaters.

Mr. Heiser, Executive Director of State College Borough Water Authority introduced himself to the Board.

4. PRESENTATIONS

a. Local Match Share

The Centre Area Transportation Authority (CATA) has published the requested local match shares for our upcoming budget. The Operating share has increased 4.37% from last year and the capital share has decreased by 0.60%. 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.

LOCAL MATCH SHARES

2019/20 Local Match Shares	Operating	Capital	Total
State College Borough	\$ 121,052	\$ 18,996	\$ 140,048
Ferguson Township	\$ 113,069	\$ 17,743	\$ 130,812
Patton Township	\$ 91,877	\$ 14,418	\$ 106,295
College Township	\$ 72,742	\$ 11,415	\$ 84,157
Harris Township	\$ 25,616	\$ 4,020	\$ 29,636
Spring Township	\$ 25,035	\$ 3,929	\$ 28,964
Bellefonte Borough	\$ 20,948	\$ 3,287	\$ 24,235
Halfmoon Township	\$ 6,302	\$ 989	\$ 7,291
Benner Township	\$ 5,109	\$ 802	\$ 5,911
Penn State University	\$ 155,496	\$ 24,401	\$ 179,897
Total	\$ 637,246	\$ 100,000	\$ 737,246

Representatives from CATA will be available to respond to questions or comments. No formal action is required of the Board at this time. The local shares above will be included in our 2019 Budget.

There were no questions or comments on the matter.

b. Refuse and Recycling Contract for 2020

The Refuse & Recycling Administrator for the Centre Region Council of Governments (COG) will provide a presentation on:

- (1) Proposed changes to the Centre County Refuse and Recycling Authority (CCRRA) Memorandum of Understanding (MOU) that were discussed at the August 15, 2018 meeting, and
- (2) Proposed changes in the bid specifications for next Refuse/Recycling contract beginning in 2020.

The bid specifications will include a base bid, which defines our current refuse and recycling collection program. The proposed changes will be written in to the bid specification as alternates to be able to understand their impact on the program. They include:

Alternate #1: Cart collection – refuse carts would be provided to households for collection by the contractor’s automated trucks. Service rates would be based on the size of refuse cart(s) selected and options would be: 35, 65 or 95 gallon carts. The 65 gallon cart service level would be the default.

4. PRESENTATIONS (Continued)

b. Refuse and Recycling Contract for 2020 (Continued)

Alternate #2: Organics collection – households would receive organics carts for no additional cost to put their yard, garden and food waste in for weekly collection. Residents will choose the size of their carts (35-65-95 gallon) or opt to not participate. The cost for this service would be included in the base fee that all households will pay; therefore total monthly costs are expected to increase by adding this new service.

Alternate #3: both cart and organics collection – this combines refuse cart collection and organics collection service.

Following the presentation the Board should seek any clarifications needed and discuss the matter in preparation for future consideration at the COG level. Comments and questions should be solicited from the audience. A copy of the Power Point presentation is included with the agenda materials.

No formal action is required of the Board at this time.

Ms. Adams gave a brief overview of changes for the Refuse and Recycling Contract for 2020.

Dr. Buckland asked if the quoted fees were monthly fees. Ms. Adams answered yes. Dr. Buckland asked if condo associations could participate in organic recycling. Ms. Adams stated that this is planned in Phase 2.

Mr. Trevino stated this would be an additional truck. Ms. Adams stated yes, and they are looking into the carbon footprint for new service.

Mr. Trevino asked about changes for acceptable items for recycling. Ms. Adams stated that there are no changes to what can or cannot be recycled.

Mr. Ward asked to explain the organics and what keeps animals out of the organics. Ms. Adams stated that the Borough has not seen an increase of animals in the organics containers.

c. Leadership Centre County – Funding Request

Leadership Centre County is a non-profit community leadership development program. They are seeking support for their Transformational Leadership Series.

Georgia Abbey, Executive Director, will provide a presentation and respond to questions from the Board and audience. Their funding request and background materials are included in the agenda materials.

The Board's Donation Policy (Resolution 2015-007) is also included with the agenda materials.

Following the presentation and discussion, the Board should provide direction to staff on this request.

Ms. Abbey gave a brief overview of the Funding Request for Leadership Centre County.

Mr. Trevino stated he is wondering if this is an appropriate use of taxpayers' money.

Dr. Buckland moved to include funding to Leadership Centre County in the Budget. Seconded by Ms. Whitman the motion passed 4-0.

5. PUBLIC WORKS

a. Resubmission of Multi-modal Grant Fund Application for the Fox Hill/ Bernel Roads Intersection Improvements

In March 2018 the Board approved the submission of a grant for the subject intersection. See the [March 28th Board agenda](#) for additional background information. The grant was not funded under the 2018/19 cycle, but PennDOT has offered a streamlined resubmission option for the 2019/20 funding cycle.

The developers of the adjacent parcel, Decibel Partners, who are responsible for the improvements to the intersection, have very recently submitted a request to the Township to increase their funding commitment to the project, which is currently \$100,000.

The agenda materials include:

- October 2nd letter from PennDOT regarding re-submission and draft Resolution for re-submission,
- October 19th letter from Decibel Partners requesting an increase in Township funding
- The March 2018 grant submittal

There was no discussion on changing the Township's funding on the project.

The Board agreed to resubmit the Multi-Modal Grand Fund Application for the Fox Hill/Bernel Roads Intersection Improvements.

6. PLANNING AND ZONING

a. Gray's Woods Master Plan Amendment #5

This item was initially discussed by the Board at their [October 10th meeting](#). (An excerpt of that agenda is included with the agenda materials for background information.) Following review and discussion of the Plan, the Board requested two changes to the Master Plan amendment:

- 1) Include a retail/mixed-use building in the Town Center area that is similar in size to that included on the 2010 Master Plan Amendment
- 2) Inclusion of the future dwelling units that would be classified as affordable to a identified income-level of residents, along with incentives for the developer as compensation for providing this housing.

In response to the above the developer has taken the following actions:

The developers, their engineer and the Township Manager reviewed the Master Plan to find a location(s) to provide affordable housing and offer the following scenario for providing affordable housing in Gray's Woods:

Affordable Housing in the Gray's Woods Planned Community. The elements below constitute an agreement in principle to include affordable dwelling units in the Gray's Woods area. These principles will be included as a plan note on the Master Plan Amendment currently before the Board of Supervisors. The subsequent actions, and the timing thereof, required of the parties (the developer and the Township) to enable these principles will be required to be completed or further detailed prior to (possibly through a Development Agreement), or

6. PLANNING AND ZONING (Continued)

a. Gray's Woods Master Plan Amendment #5 (Continued)

- concurrently with (possibly as plan notes), the Township's approval of the next subdivision or land development plan following the approval of the pending plans for Phase 6A.
- a. 40 dwelling units would be constructed by the developers as noted below. The timing of the construction of the units to be determined as noted above (i.e. following approval of Phase 6A and prior to the next phase's plan approval).
 - b. The initial 10 units would be constructed in the area previously designated for the mixed-use Town Center building within Phase 6 between Veery Way and Dolomite Drive.
 - c. The Town Centre building (approximately 16,000 square feet) and parking field would be relocated to the area that currently serves as a storm water detention basin on the southwest corner of Gray's Woods Boulevard and Brackenbourne Way.
 - d. The remaining affordable dwelling units would be located at the southerly end of Brackenbourne Drive (near Gray's Woods Elementary School on land that is currently part of the Gray's Woods Preserve
 - e. A further portion of the Gray's Woods Preserve would be utilized for stormwater detention for the affordable housing and the re-located Town Center.
 - f. In exchange for the Gray's Woods Preserve areas, the developers will convey a conservation easement to the Township of [redacted] acres of open space in the 'ravine'. This easement could accommodate a future bikeway (perhaps over a future UAJA interceptor sewer to Halfmoon Township).
 - g. The 40 units would be affordable as "workforce housing" for **buyers/renters** with incomes in the **(range)** of the Area Median Income.
 - h. **(type of units; size in sf and # bedrooms; current sales price)**
The 10 units in Phase 6 (in the former town center location) will be owner-occupied townhomes. The remaining 30 units will be apartment units with 2 or 3 bedrooms, in 3 or 4 story buildings. These units could be rented or sold as condominiums. Mr. Poole will provide additional information at the meeting
 - i. The Township will make the following changes, by ordinance, to the Gray's Woods Planned Community zoning regulations:
 - i. The required parking for the affordable units would be 1.5 spaces per unit.
 - a. The required parking for the affordable units would be 1.5 spaces per unit.
 - b. The developer requests that the Township incorporate a process of requiring park studies as the phased development of the site occurs in order to refine the required parking ratios so that sufficient parking spaces are provided for the future phases. (Such as included in the MXD2 regulations for Patton Crossing)
 - ii. The affordable units would not be included in the overall density calculations or unit mix calculations for GW MP
 - iii. The Open Space requirement for GW PC is reduced to 27.5% from the current 30%.
 - iv. The overall density of GWPC is increased from 3.00 du/ac to 3.15 du/ac
 - v. The minimum percentage of medium lot single family homes is reduced from 25% to 15% of total dwelling units
 - vi. The minimum percentage of small lot single family homes or medium density multi-family homes is reduced from 25% to 15% of total dwelling units.
 - vii. Increase maximum height for high density multi-family buildings from 60 feet to 75 feet.
 - j. The next major Master Plan Amendment will not be required until the developer proposes one or more of the following:

6. PLANNING AND ZONING (Continued)

a. Gray's Woods Master Plan Amendment #5 (Continued)

- i. Usage or inclusion of more than 1/3 of the additional dwellings or open space available through changes enacted by item f.iii and f.iv above.
- ii. Other significant change as currently defined by Section 175-21.D (Master Plan approval. Amendments to an approved master plan) with the condition that the developer may request a determination from the Board of Supervisors regarding whether a proposed change is significant or not with respect to Sections 175-21.D.(2), (3), and/or (6) prior to plan submission.
- iii. Future proposed Master Plan amendments will also come before the Board as a Sketch Plan prior to formal submission for review.

The developer will provide an overview of the Master Plan amendment and the above proposals.

The Township Manager will review the elements of the suggested affordable housing proposal.

The Board should review, discuss and request any needed clarification regarding the Master Plan or these new items.

The Board should take comments and questions from the audience.

The following items were included with the agenda:

1. Excerpt from the October 10th Board Agenda (All 3 GW items)
2. A location map of the property with:
 - a. An 11"x17" copy of the master plan
 - b. A marked up copy of staff's comment letter
 - c. Graphic showing proposed reconfiguration of the town center area
 - d. CRPC and CATA comments

The Planning Commission recommended conditional approval with:
1. Completion of all items noted on staff's marked up comment letter.

The Patton Code requires that the Board hold a Public Hearing prior to taking action on a major amendment to a Master Plan. The first opportunity to hold a Hearing would be Wednesday, December 12, 2018.

Mr. Poole gave a brief overview of options for adding more affordable housing and suggested moving the town center would give another 10-12 more affordable housing units.

Mr. Warner stated he was concerned about the new location of the town center with young children in the area and additional traffic.

Mr. Chandler asked what would be the starting cost of the affordable house. Mr. Poole stated \$180,000 would be the starting price. Mr. Chandler stated that he is concerned about the increased density and concerned about the location of the town center.

6. PLANNING AND ZONING (Continued)

a. Gray's Woods Master Plan Amendment #5 (Continued)

Mr. Ward stated that he is concerned about the Meeks Lane and Grays Woods intersection, the school being expandable, pumping station capacity and water pressure issues. Mr. Erickson stated that a traffic study was done with the master plan. Mr. Erickson stated that sewer issues will be decided by UAJA.

Mr. Miller stated that he is concerned about the height of building, increasing density and the location of the town center.

Mr. Stratton stated that he is concerned about the safety for kids walking from/to school.

Ms. Morgan stated she would like the Board to consider transportation and asked about more single family housing instead of townhouses.

Ms. Ombalski stated that the intent was to protect the rarity of the open space area. She stated that the preserve is not protected and that a deed restriction should be done.

Mr. Abbey asked how much of a reduction of the open space. Mr. Pratt stated that it would be 8 acres including the storm water. Mr. Abbey asked what can or cannot be done with the land from the terms and conditions of the sale of the land.

Ms. Whitman stated that she does not like the idea of taking land designated as open space and concerned about the perception of this. She stated that she is concerned about the process.

Mr. Trevino stated that he does not agree considering trading any of the reserve and feels that it is a bad location for a town center and asked if it is necessary to increase the number and density of units.

Ms. Buckland stated that she would like this to go through Planning Commission and get some feedback from CATA.

Mr. Erickson stated that he and the developer could work on a note that can be brought back at the November 7, 2018 Board Meeting.

b. Final Subdivision Plan - Gray's Woods Planned Community Phase 6 Section A

This item was initially discussed by the Board at their [October 10th meeting](#). (An excerpt of that agenda was included with the agenda materials for the previous item for background information.)

The following Subdivision Plan items were included with the agenda materials:

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

The Planning Commission recommends conditional approval with:

1. Completion of all items noted on staff's marked up comment letter.
2. Approval of Gray's Woods Master Plan Amendment #5.

6. PLANNING AND ZONING (Continued)

c. Final Land Development Plan - Gray's Woods Planned Community Phase 6 Section A

This item is presented for information only at this time. The Board cannot take action until a Public Hearing is held on the Master Plan Amendment #5.

This item was initially discussed by the Board at their [October 10th meeting](#). (An excerpt of that agenda is included with the agenda materials for the previous item for background information.)

Following review and discussion of the Plan, the Board requested clarification on the developer's request for:

- Exemption from providing street trees at 30' intervals (**§153-36F Street Trees**).
 - *The applicant has proposed planting 2 additional trees per dwelling unit at other locations within the Phase 6A development area, and therefore is requesting an exemption from the standard street tree requirements.*

The developer was asked to provide additional information and/or illustrations showing available area for installing street trees and where exempted trees would be planted.

The following Land Development Plan items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the land development plan
3. A marked up copy of staff's comment letter
4. CATA Comments
5. Stormwater review comments from Halfmoon Township Engineer
6. Updated Landscaping Plan showing street tree locations

The Planning Commission recommends conditional approval with:

1. Completion of all items noted on staff's marked up comment letter.
2. Approval of Gray's Woods Master Plan Amendment #5.
3. Completion of the Heritage Trail through Graysdale.
4. Approval of waiver requests for a) reduced driveway setback from intersections, b) reduced minimum off-street parking space width.
5. Partial approval of the waiver from the minimum street tree requirements as requested, except street trees will be required in grassed curb strips that are 5 linear feet or longer along roadways.

This item is presented for information only at this time. The Board cannot take action until a Public Hearing is held on the Master Plan Amendment #5.

The developer requested that the three waivers requested for Phase 6A be extended to the remainder of the Phase 6 development. The Board had no objection and directed the Manager to add a note to the Master Plan drawings.

6. PLANNING AND ZONING (Continued)

d. Ordinance Allowing Flags as Signs

This item was initially discussed by the Board at their [October 10th meeting](#). (An excerpt of that agenda is included with the agenda materials for background information.) Following review and discussion of the draft ordinance, the Board requested additional information on two items:

- 1) How do other Centre Region municipalities regulate flags as signs?
- 2) Is it appropriate to have a size limit on how large the “flag as a sign” may be?

The Township Planner, in a memo included with the agenda materials, reviewed how other Centre Region municipalities regulate flags as signs and concludes:

“ . . . the proposed Patton Township ordinance amending Chapter 140 would establish provisions to regulate flags as signage in a manner that is generally consistent with the practices used throughout the Centre Region.”

In response to the question about size limits:

“All municipalities, except Ferguson Township, include flags . . . as part of the overall limit on the size (area) of signage allowed on a property. Ferguson Township specifically limits the size of flags to 24 ft² in residential districts and 35 ft² in all other districts.”

The draft ordinance has also been amended to clarify that the permitted height of a flag pole is:

25 feet or a height equal to the roofline of the tallest building(s) to which it is associated, whichever is higher.

The following items are included with the agenda:

1. Excerpt from the October 10th Board agenda
2. Letter requesting amendments to the Township’s sign regulations
3. Planner’s memo on other municipal regulations
4. Draft Ordinance: *Allowing Flags as Signs v1.1*

The Planning Commission recommends approval of the Draft Ordinance.

If the Board desires to advance the matter, the Manager should be directed to advertise the Ordinance for consideration at a future meeting. The matter could be considered at the November 20th or December 12th meetings.

Mr. Downsborough supports this with 50 square feet as the maximum for a flag and a limit of one flag per parcel.

The Board asked that this be revised and be brought back to the November 7, 2018 Board Meeting.

7. **ADMINISTRATION**

a. **Capital Improvement Plan**

Mr. Pegher gave a brief overview of the initial draft of 2019 – 2023 Capital Improvement Plan (CIP). The presentation included:

- An overview of forecasted revenues, operating expenditures, current debt service, and on-going capital expenditures for the next five years
- The Manager's recommendation for new initiatives (capital projects and other significant expenditures) for inclusion in the five-year plan.
- A forecast of anticipated tax rates required to support the Manager's recommendation.

The Board is asked to receive the Plan and provide direction to the Manager for preparation of the next draft or, potentially, the final version of the Plan to be adopted. The plan for capital projects and other significant expenditures scheduled for 2019 will then be incorporated into the Annual Budget to be presented in November.

The draft Capital Improvement Plan 2019– 2023 was included with the agenda materials.

b. **Remote Meeting Participation Policy Discussion**

Supervisor Treviño asked the Manager to investigate the technical feasibility of having a meeting participant “attend” by phone. Under Pennsylvania law, such participation is permitted as long as the audience can hear the remote attendee and the remote attendee can hear the other participants and the comments from the public. The Manager is working with our sound system vendor to configure a system that could be used for attending by phone.

The Manager has provided a draft resolution (included with the agenda materials) that the Board could utilize to consider, discuss and potentially adopt a formal policy for remote attendance. Following Board discussion, comments should be accepted from the audience.

Mr. Trevino moved to approve the Remote Meeting Participation Policy. Seconded by Ms. Whitman, the motion passed 4-0.

c. **Discussion on Reducing Plastic Straw Use**

Township resident Candace Kent addressed the Board at the September 12th meeting “requesting them to consider a ban on plastic drinking straws in the Township's restaurants ...”. Ms. Kent also provided the Board background materials on the issue and a list of cities, states, colleges, museums, and businesses that have banned or are considering a ban on plastic drinking straws. (Please see attachments to [September 12th meeting](#) agenda)

The Township Solicitor addressed the Board and offered her opinion that such a local law would exceed the Township's authority under the Second Class Township Code.

The Board directed the Manager to review the issue and provide a draft Resolution for discussion at this meeting.

The agenda materials include:

- Straw Use Resolutions from State College, PA; Ashtabula, Ohio; Sante Fe, New Mexico; and Portland, Oregon

7. ADMINISTRATION (Continued)

- An initial draft resolution encouraging a reduction of use (based largely on the State College Borough resolution)

The Board should review the agenda materials, take public comment, and provide the Manager with directions for future activity on the matter.

Ms. Kent stated that one item she would like to add that the recycling center cannot recycle straws. Ms. Whitman asked if she could email her that information.

Ms. Whitman is to provide edits for review at the November 7, 2018 Board Meeting.

d. Council of Governments (COG) Grant of Easement for Whitehall Road Regional Park Sewer Pump Station.

The COG Executive Director has provided additional information on this matter, which was included with the agenda materials. Additional background is also available with the Board's [October 10th agenda](#) and attachments.

The Board members should identify any additional questions they may have for UAJA or COG staff. The Board had no questions or comments.

e. Resolution for Grant Application for Nittany Valley Sports Centre Phase 2

The Nittany Valley Sports Centre (NVSC) is eligible to receive a \$1,500,000 grant from the Governor's Redevelopment Assistance Capital Program (RACP) for their planned Phase 2 expansion of their facility off of Bernel Road. NVSC needs to match this grant with a like amount of cash.

This grant program requires the sponsorship of a municipality or public authority to act as the applicant, and the Centre, through their consultant – Delta Development, has submitted a request to the Township. This grant would impose no financial costs on the Township.

The cooperation agreement, between the Township and the Centre, and the grant agreement with the Office of Budget are under review by the Solicitor.

The agenda materials included the grant eligibility letter from the Office of the Governor, the request email form Delta Development, and a draft Resolution to accompany the grant application. The Solicitor is still reviewing the Agreement. The Board took no action.

8. CONSENT AGENDA – No Items

9. MANAGER'S REPORT

- a. Lowe's tax appeal was withdrawn
- b. Upcoming Events
 - [1] Patton Township Business Association Lunch, Noon, October 24th
 - [2] Election Day, November 6th
 - [3] Township Offices Closed, November 22nd and 23rd
 - [4] Patton Township Business Association Lunch, November 28th
 - [5] Township Offices Closed, December 25th
 - [6] Township Offices Closed, January 1, 2019
 - [7] Patton Township Business Association Lunch, January 23rd State of the Township
 - [8] ABC Recognition Dinner, January

10. COMMITTEE REPORTS

There was nothing to report.

11. OTHER BUSINESS

Ms. Whitman asked that Staff look into deed restriction on the Grays Woods Preserve.

12. ADJOURNMENT

Mr. Trevino moved to adjourn the October 24, 2018 Board of Supervisors meeting at 10:08 PM. Seconded by Ms. Whitman, the Vice-Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary