

**ATTENDANCE:**

BOARD	George Downsborough, Jr., Chair Betsy Whitman, Vice-Chair Elliot Abrams, Supervisor Jessica Buckland, Supervisor Daniel Treviño, Supervisor	
STAFF	Doug Erickson, Township Manager Lawrence Pegher, Finance Director Stephen Casson, Township Engineer Alexandra Castrechini Nicole Pollock, Planner Tyler Jolley, Chief of Police	
ABSENT	Betsy Dupuis, Solicitor	
AUDIENCE	C-NET (2) Andrew Nagle, Centre Care Gary Weber, Resident Betsy Boyer, Resident Tom Zilla, CRPA Tim Simin, Resident Deborah Marsh, Resident Ralph & Kat Oliva, Residents Denise Wood, Resident Charles Ascolese, Resident John Melonas, Resident Brian Henry, Resident Anita Thies, Resident Grey Collins, Resident Linda Huss, Resident Sharon Collins, Resident Jim May, CRPA	Rick Holes, PE CD/LR Kimball Al Jones, Centre Care Jeanne Weber, Resident John Sepp, Penn Terra Denine Simin, Resident Sheila Abruzzo, Resident James Prowort, Resident Linda Reisling, Resident Dorie Ascolese, Resident Alan Abruzzo, Resident Jim Payne, Resident Kathleen Domenig, Resident Hillary Haris, Resident James Collins, Resident Ron Huss, Resident Alan Kirk, Resident

**1. CALL TO ORDER**

The November 20, 2019 Board of Supervisors Meeting was called to order by Chair Downsborough at 7:00PM.

**2. PUBLIC COMMENTS**

There were no public comments.

**3. PUBLIC HEARINGS AND PRESENTATION**

**a. Proposed 2020 Township Budget**

Mr. Pegher stated that the Tentative Proposed 2020 Patton Township Budget was adopted at the meeting on November 13, 2019 and advertised for a Public Hearing at this meeting. Copies of the Tentative Budget have been placed in the Township Building lobby, Schlow Regional Library and on the Township Web Site.

Mr. Pegher provided a brief overview of the Tentative 2020 Patton Township Budget.

The Tentative Budget includes no real estate tax rate increase.

3. **PUBLIC HEARINGS AND PRESENTATION (Continued)**

a. **Proposed 2020 Township Budget (Continued)**

The 2020 Budget and Line Item Detail was included with the digital agenda. The 2020 Budget and the Line Item Detail are available on the Township's website at <http://twp.patton.pa.us/departments/finance>. Hard-copy of the Budget and Line Item Detail will be provided upon request.

Mr. Trevino moved to open the Public Hearing on the Proposed 2020 Township Budget at 7:08PM. Seconded by Ms. Whitman.

Mr. Abrams moved to close the Public Hearing on the Proposed 2020 Township Budget at 7:09PM. Seconded by Ms. Whitman.

1) **Work Session**

Mr. Trevino stated that he is currently satisfied with the budget.

2) **Follow-Up Steps**

The Board did not identify any changes to the 2020 Budget and directed the Manager to schedule the budget adoption for the December 11<sup>th</sup> meeting.

b. **Centre Crest Presentation**

Ms. Boyer, President of Centre Care, spoke about the new facility and the need for community support. Mr. Andrew Naugle, Administrator, and Mr. Al Jones, Board member, also spoke.

They spoke about their (under construction) new 240-bed skilled nursing facility that will offer traditional long-term care, as well as three specialty neighborhoods (high acuity care, memory care and short term rehab) that are in high demand for Centre County residents.



4. **PUBLIC SAFETY – No Items**

5. **PUBLIC WORKS – No Items**

6. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Rater gave a brief overview of the Planning Commission Report.

b. **Joint Work Session for Board and Planning Commission**

1) **Potential Amendments to the Planned Airport District (PAD)**

Earlier this year, the Board of Supervisors referred the matter to the Planning Commission for a recommendation and guidance on potential amendments to the Planned Airport District (PAD). The district is divided into five areas: Residential, Non-Residential, Mixed Use, Approach, and Runway, and each has a list of specifically permitted and prohibited uses.

This link shows an interactive online map of the PAD: [interactive online map](#). The layers show the Regional Growth Boundary (RGB), Federal Aviation Regulation (FAR) Part 77 Surface Zones (deal with height allowance), and CONUS Road and Aviation Noise in Decibels. These layers can be added and removed for clarity.

Attached is an outline to aid in guiding tonight's discussion.

The agenda materials included two documents:

- PAD Joint Work Session Outline
- Summary of Previous Discussions Regarding Potential Amendments to the Planned Airport District

Ms. Pollack lead the Board and Commission through the outline of potential changes and look to find areas of agreement between the Board and Commission.

Ms. Domico stated that the Planning Commission has a lot of concerns about the roads.

Mr. Downsborough stated that the roads are state roads so we are up against PennDot.

Dr. Buckland stated that this is a unique opportunity to set something in place that we can use to shape innovation in both the short term and long term.

Ms. Whitman asked how were the boundaries for non-residential areas set. Ms. Pollack stated that they were originally set based on noise and safety issues.

Ms. Domico suggested having an expert to consult for guidance in airport districts.

Ms. Domico asked if there are plans about improving the roads in the area. Mr. Zilla stated that there is not a lot of planning in this area except for the intersection of Fox Hollow Road and Bernel Road.

Dr. Buckland stated she is interested in increasing density within the growth boundary. She is also interested in mixed use and making room for things to grow for in the future.

Ms. Domico suggested that the Planning Commission comes up with a brief proposal for the January Board of Supervisors Meeting.

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

b. **Joint Work Session for Board and Planning Commission (Continued)**

2) **Potential Approaches to Affordable Housing in Patton Township**

The Board of Supervisors has charged the Planning Commission (PC) with exploring possible means of addressing housing affordability in Patton Township. There are affordable housing provisions included in several of the Township's zoning districts, but the Board would like the PC to recommend potential means of addressing the issue more comprehensively in the Township.

Affordable housing is a complex and multi-faceted issue that does not have a "one size fits all" solution. Staff has begun researching assessing an additional fee to building permits, and Accessory Dwelling Units (ADUs). "

The following items were included with the agenda:

1. Permit Fee to Fund Affordable Housing Examples
2. Accessory Dwelling Units: Case Study – additional info at:  
<https://www.huduser.gov/portal/publications/adu.pdf>

Ms. Pollack will lead the Board and Commission through the two documents and look to find areas of agreement between the Board and Commission.

Mr. Downsborough stated that every time a developer brings a master plan in, that the Board tries to get affordable housing included and suggested sticking with the Grays Woods and Patton Crossing areas to get affordable housing.

Ms. Whitman suggested looking into making affordable housing and climate change simpatico and adding incentives to create more affordable units.

Dr. Buckland stated that she wants to look into affordable rentals and not just housing.

Mr. Erickson stated that the affordable housing that we are talking about is when someone is providing some financial subsidy to price housing below the market rate.

Ms. Pollack will provide a follow up at the December Planning Commission meeting.

c. **Gray Buffalo – Replot of LOTS 1RRR & 2RRR to Lots 1RRRR & 2RRRR & Subdivision of Lot 3**

This project is located along Buffalo Run Road (State Route 550) and Deer Brook Drive and is in the A-1 (Rural) zoning district and the Gray's Woods Planned Community (PC) district.

The purpose of this plan is to create one new 13.82-acre lot (Lot 3) by replotting two existing lots (1RRR, Gummo/Sims and 2RRR, Gray Buffalo Partnership) and a portion of parcel 18-301-48 (Grays Woods Partnership) also known as "Deerbrook Open Space Area West."

The Deerbrook Open Space lot will increase from 10.27-acres to 10.43-acres. Lot 1RRR will decrease from 34.327-acres to 20.650 acres and become Lot 1RRRR. Lot 2RRR will decrease from 69.340-acres to 69.040-acres and become Lot 2RRRR.

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

- c. **Gray Buffalo – Replot of LOTS 1RRR & 2RRR to Lots 1RRRR & 2RRRR & Subdivision of Lot 3**  
Ms. Pollack stated that the revised Lot 1RRRR will have access onto Buffalo Run Road. Revised Lot 2 RRRR will have access onto Buffalo Run Road to the north and to the south to Deerbrook Drive once it is extended in the future. New Lot 3 will have access onto Deer Brook Drive.

Under A-1 zoning two single family homes could be constructed on new Lot 3. The owners would also be permitted to use the property for agricultural purposes including keeping livestock.

The “Open Space” lot in Deerbrook was created prior to the enactment of Rural Preservation Design standards for A-1 subdivisions. As such it is not protected or reserved open space, nor owned collectively by a Homeowners Association. It is merely a privately-owned non-buildable parcel of property and, as such, the owner has the right to reconfigure it as shown in this subdivision plan.”

The Manager suggests the following approach for tonight’s meeting:

1. Introduction of the subdivision plan by Planner
2. Presentation of the subdivision plan by the developers’ representatives.
3. Board member comments/questions to the developers’ representatives.
4. Audience comments/questions
5. Final comments/questions from Board members.

At their November 4<sup>th</sup> meeting, the Planning Commission recommended conditional approval pending completion of all items noted on each comment letter provided by staff.

The agenda materials included a location map, the Patton Township Staff Plan Review Comments and a 11” x 17” Plan Set.

Following the presentation and discussion the Board should consider action to approve the plan as recommended or deny the plan and, as required by the Municipalities Planning Code, cite the specific sections of the Patton Code the plan does not meet. The Township’s deadline for taking action on this plan is January 5, 2020.

Mr. Trevino stated that this replots is confusing and asked why Lot 3 can’t be connected to Buffalo Run Road. Mr. Sepp stated that by ordinance the lot needed a 200 foot frontage on a public road because it is in the agricultural zone.

Ms. Collins stated that she is concerned about the traffic, noise and the stream on property.

Mr. Collins asked if there is any input from the PA Game Commission for this plot. Mr. Downsborough answered that this is private property so they would not be involved.

Mr. Melonas asked if it can be put in writing to make sure the driveway does not turn into a road. Mr. Erickson stated that we can asked for a deed restriction. Mr. Downsborough stated that unless it does not meet ordinance requirements the township can’t do anything about the road.

Mr. Sepp stated that if or when the 69 acres are developed it will go into Grays Woods Blvd and that there are no plans for this tract at this time.

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

c. **Gray Buffalo – Replot of LOTS 1RRR & 2RRR to Lots 1RRRR & 2RRRR & Subdivision of Lot 3**

Mr. Webber stated that the stream feeds into Spring Creek and is concerned about something happening to the stream. Mr. Erickson stated that they will need to get a permit with the Centre Conservation District and there are state laws in place that protect the stream.

Mr. Kirk stated that the one parcel was designated as open space when Deerbrook was developed.

Ms. Pollack stated that this open space was created before the enactment of the rural preservation design and is not owned by any home owners association.

Mr. Oliva stated he signed a covenant and pays taxes to keep that an open space and is concerned about safety with putting this driveway in.

Mr. Provant requested that the Board stipulate the driveway remain a driveway for these three properties.

Mr. Russo asked if there is no access to 550 and if this is the only way out. Mr. Sepp stated that to meet the zoning ordinance the driveway has to be there.

Ms. Wood stated that the driveway is a right of way and she asked if that can be used as an egress to the 69 acres. Mr. Erickson answered yes, if they came in with another plan.

Mr. Simin stated that he would appeal to Patton Township to protect those of us who thought this was open space.

Dr. Buckland asked if the HOA took care of property but did not own it and asked who owns it. Mr. Erickson stated that the Grays Woods Partnership owns the property.

Mr. Abrams stated that the open space needs to be investigated.

Ms. Whitman stated that she would like input from the solicitor first.

Following public input and Board discussion, the Board directed the Manager to obtain an opinion from the Township Solicitor regarding the right of the Gray's Woods Partnership to replot a portion of parcel 18-301-004B to create the proposed Lot 3, and directed the staff to make a request to the Gray Buffalo Partnership to a) self-impose a "no further subdivision" restriction on Lot 3; and b) if the answer to a) is no, then will they self-impose a restriction to not turn the driveway for Lot 3 to Deer Brook Drive into a future roadway.

Mr. Erickson informed the Board that the Solicitor's opinion would only be provided to the Board members and would not be a public document unless the Board made it public.

The Board further instructed the Manager to place this item on the December 11<sup>th</sup> agenda for further consideration.

7. **ADMINISTRATION**

a. **Cable TV Franchise Renewal**

Patton Township has joined with 7 other municipalities in Centre County to negotiate cable TV franchise renewal terms with Comcast. Supervisor Chair Downsborough has been the Township's representative on the Centre Area Cable Consortium (CACC) Board of Directors.

The CACC Board is scheduled to meet on Monday, November 18<sup>th</sup> and receive the expected final draft of the new franchise agreement. The Board will review the agreement and potentially take action to recommend that all the members individually approve the agreement with Comcast.

If CACC acts as explained above, the franchise agreement documents will be distributed to the Board and made available to the public on Tuesday, November 19<sup>th</sup>.

The Franchise, which only pertains to cable TV services, is an agreement that enables Comcast to use Patton Township's right's-of-way for their cables and junction boxes and offer service to Patton Township residents and business, in exchange for the following benefits to the Township:

- Payment of a percentage fee of gross revenues generated in the Township (currently 5%)
- Channel space for CNET
- Contributions to CNET for new equipment and capital improvements
- Minimum customer service standards
- Right-of-Way protections

Assuming we have an agreement to review, Supervisor Downsborough will provide a report on the work of the CACC and the draft agreement.

To approve the agreement, the Board will need to approve an ordinance at a future meeting. The next two opportunities to adopt the agreement would be the December 11<sup>th</sup> and January 6<sup>th</sup> Board meetings.

The Supplement includes the following documents:

- Executive Summary of the Franchise Agreement prepared by Cohen Law Group
- Franchise agreement recommended by CACC on November 18<sup>th</sup>
- Draft Ordinance for adoption

Mr. Downsborough reviewed the terms of the proposed agreement. The Board directed the Manager to take the necessary steps to have this item available for approval at the December 11<sup>th</sup> meeting.

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) **Award Bids for 2020 Public Works Materials Contracts**

The Public Works Director recommends awarding contracts as follows:

- 2020 Concrete – Centre Concrete
- 2020 Aggregates (gravel and stone products) – GOH, Inc.
- 2019 Bituminous Material (asphalt paving products) – GOH, Inc.

The Township Engineer's Bid Tabulations and recommendation are included with the agenda materials.

**It is recommended that the Board award the contracts for materials as recommended by the Engineer and authorize the Manager to execute the agreements.**

2) **Street Acceptances and Temporary Traffic Controls – Grays Woods Phase 6A**

Deeds of Dedication and Resolutions (4) for the acceptance of portions of Grays Woods Boulevard, Jack Pine Way, Amicus Drive and Wood Thrush Way have been prepared and reviewed.

The temporary speed limit on all streets will be 25 miles per hour.

Stop signs will be established at:

<u>Street</u>	<u>travel direction</u>	<u>intersecting street</u>
Wood Thrush Way	north	Grays Woods Blvd
Jack Pine Way	northeast	Grays Woods Blvd
Amicus Drive	southeast	Wood Thrush Way
Amicus Drive	southeast	Jack Pine Way
Amicus Drive	northwest	Jack Pine Way

The four Resolutions (2019-022, -023, -024, -025) are included with the Supplemental materials. Copies of the deeds are available upon request. Permanent traffic regulations will be established by ordinance at a future Board meeting.

**It is recommended that the Board adopt the four resolutions to accept the streets as described and approve the temporary traffic control measures noted above.**

8. **CONSENT AGENDA (Continued)**

b. **Administration**

1) **Minutes – November 13, 2019**

The draft minutes of the last Board meeting were distributed with the Supplemental information before the meeting. Board members having questions or changes should contact the Township Manager prior to the meeting so revisions can be included in a supplemental distribution.

**It is recommended that the Board approve the November 13, 2019 minutes.**

2) **Authorities, Board and Commissions – Re-appointments for 2020**

The following residents are eligible for reappointments as noted and have agreed to serve another term:

Ann Taylor - eligible for 1 more 3 year terms on Recreation Advisory Committee

Barry Bram - eligible for 1 more 3 year term on Recreation Advisory Committee

Bob Barlock – eligible for 8 more 1 year terms on the Vacancy Board

William Burnett - eligible for 2 more 3 year terms on Zoning Hearing Board

Patricia Montieth - eligible for 9 more 1 year terms as the SCBWA – Liason

Chris Hurley - eligible for 7 more 1 year terms as the SCWC Alternate

The ABC Committee (Abrams and Whitman) recommend that the Board approve the above re-appointments.

3) **Voucher Report**

A copy of the October 2019 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 October 2019 Voucher Report.**

Ms. Whitman moved to approve the Consent Agenda. Seconded by Dr. Buckland, the motion passed 5-0.

9. **MANAGER'S REPORT**

Mr. Erickson reported on the following:

- a. *State of Recycling in Centre County* – memo and resolution enclosed
- b. Development Update – report enclosed
- c. Centre Region Complete Counts Committee – Census Day is April 1, 2020
- c. Upcoming Events
  - [1] Township Office Schedule
    - Closed, November 28-29 Thanksgiving
    - Open, Monday, December 2<sup>nd</sup>
    - Open, Tuesday, December 24<sup>th</sup> 8 am to ???
    - Closed, December 25<sup>th</sup>, Christmas
    - Open Tuesday, December 31<sup>st</sup>, 8 am to 4:30 pm
    - Closed, January 1<sup>st</sup>, 2020 – New Year's Day
  - [2] Parks & Rec Office Relocation – November 18<sup>th</sup> -21<sup>st</sup>
  - [3] Patton Township Business Association Lunch, November 27<sup>th</sup>
  - [4] Sustainable Communities Collaborative Expo, December 11<sup>th</sup>, 4:30 – 7:30 pm, Days Inn, State College
- d. Mr. Erickson stated he was elected tax collector.
- e. Ad was placed in CDT for ABC vacancies and will begin process at December 11<sup>th</sup> meeting.

10. **COMMITTEE REPORTS**

Public Safety, November 12 – Trevino

- Joint meeting with Public Services Committee, First Responders, Public Works, PennDOT and Utilities representatives

Finance, November 20 – Downsborough

- Municipal Comments on the 2020 COG Summary Budget
- Purchase Order to Rebuild Two Fire Police Units
- Contract Award for Fire Study
- CRCA Parking Agreement
- Library Strategic Plan

Mr. Downsborough stated that Finance moved the Budget to General Forum.

Exec. November 20 – Downsborough

- Municipal Comments on the 2020 COG Summary Budget
- Purchase Order to Rebuild Two Fire Police Units
- Contract Award for Fire Study
- CRCA Parking Agreement

Parks Capital – Buckland

Dr. Buckland stated there was discussion on the Comprehension Plan and talked about Ferguson's financial help with the Whitehall Road Park

- a. State College Borough Water Authority. October 17 – Montieth (report enclosed)
- b. Centre Area Cable Consortium, TBD – Downsborough
- c. Spring Creek Watershed Commission, , Hurley Alt
- d. Centre County Metropolitan Planning Organization, November 26 – Abrams, Whitman Alt.
- e. Centre County Airport Authority – (4<sup>th</sup> Thursday) – Trevino
- f. Website Upgrade, Demos to be scheduled - Whitman, Buckland, Pegher, Erickson

11. **OTHER BUSINESS**

Mr. Abrams stated that he is concerned about traffic on Atherton Street at the driveway for Chick Fil A. He believes it is causing a safety issue and suggested we look into resolving this issue. Mr. Erickson stated that we can have an officer sit out there and direct traffic. Mr. Downsborough suggested having staff have informal conversation with the manager.

Mr. Trevino stated that he would like to add the expected Vacancy of the Board of Supervisors to the December 11<sup>th</sup> meeting.

12. **ADJOURNMENT**

Dr. Buckland moved to close the November 20, 2019 Board of Supervisors meeting at 9:57PM. Seconded by Mr. Abrams, the meeting was adjourned.

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Douglas J. Erickson, Township Secretary