



**PATTON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA**

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**BOARD OF SUPERVISORS**

BOARD MEETING ROOM  
PATTON TOWNSHIP MUNICIPAL BUILDING

**August 18, 2010  
7:00 PM**

**AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**

A copy of the minutes of the July 21, 2010 meeting is enclosed.

- 3. PUBLIC COMMENTS**

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

**4. PUBLIC SAFETY**

**a. Police Update**

A copy of the July 2010 Public Safety Report is enclosed. The Police Chief will review the reports and respond to questions. Also enclosed are copies of two letters of appreciation received by the Police Department.

**b. Donation of Retired Cruiser**

The Borough of Lewistown is forming a new Police Department. The Chief recommends that Patton Township assist through the donation of a 2006 Ford Crown Victoria cruiser recently retired from service. The estimated value of the vehicle is \$4,400 to \$5,600. The light bar and cage from this vehicle are of no value to Patton Township.

The Township's surplus property disposal policy permits transfer to another public agency with approval of the Board of Supervisors.

**c. Pension Plan Amendment**

An ordinance has been advertised to amend the Police Pension Plan to conform to a determination by the Pension Board and to bring the Plan into conformance with Act 600, which no longer includes a municipal obligation to provide a killed in service benefit. A copy of the proposed ordinance to amend the plan is attached.

In February 2010 the Patton Township Police Pension Board determined that an officer would be declared to be disabled if the officer was unable to perform the "normal police duties for which the participant was hired ..." as a result of a permanent injury sustained in the performance of police services for Patton Township. Sergeant Walters was then declared to be eligible for a disability pension under that determination. To bring the Plan document in line with the determination of the Pension Board, the proposed ordinance deletes conflicting language that defined a disability in much stricter terms.

Act 51, signed into law in October, 2009, amends Act 600 of 1955 (Municipal Police Pension Law) providing that the Commonwealth of Pennsylvania will assume the responsibility of paying the killed-in-service death benefit to a surviving spouse or eligible child in an amount equal to the decedent's salary at time of death. A synopsis of Act 51 is enclosed.

The benefit has not changed, but as a result of the passage of Act 51, the burden of payment has shifted from the Township to the Commonwealth. The insurance policy the Township has in place to provide the benefit expires in late August.

The Board is asked to consider action to adopt the proposed ordinance amending the Police Pension Plan.

5. **PUBLIC WORKS**

a. **Project Updates**

The Manager and Public Works Director will briefly review the following items:

UAJA Removal of Valley Vista Lift Station	UAJA crew has completed work on Township property. Another lift station has been eliminated from the system. The crew did an excellent job of restoring the parking lot and grounds.
Parking Lot Expansion	To meet a growing need associated with the use of the meeting room, the Road Crew will begin a series of projects to add parking spaces.
2 <sup>nd</sup> Leaf Truck	Funded by a DCNR recycling grant, a second one-person leaf truck has been ordered from ODB. The truck is expected to arrive in time for the 2010 leaf season.

b. **Refinancing Bonds & Bernel Road Park Funding**

Concord Public Finance, a firm that has assisted the Township in past bond sales, has informed the Finance Director that current rates are very favorable and significant savings may be captured through refinancing and new bond sales. They have provided a proposal that includes refinancing the 2003 Bond Issue (for Open Space Acquisition), refinancing the 2005 Debt (which was a consolidation of 2002 Bond and 2004 Library loan), and advancing the borrowing for Bernel Road Park (as proposed in our current Park Plan) by one year.

Under the refinancing the Township can reduce our 2010 debt service by an estimated \$188,000 (see page 6 of information provided by Concord) with a total savings over the life of the obligation of \$171,162.

By advancing the Bernel Road Park borrowing we can lock in the current low rates, borrow slightly more (4%) money, and pay a reduced debt service about 3% lower than estimated in the Park Plan. The debt service for this borrowing would be paid from the 0.7 mills of real estate taxes dedicated to park development.

A representative of Concord Public Finance will be available at the meeting.

The Board should consider action to authorize advertising the required ordinance for the refinancing and borrowing for Bernel Road Park. If authorized it is expected that the transactions would be completed by early October.

5. **PUBLIC WORKS (CONT'D)**

c. **Whitehall Road Regional Park Master Plan**

The Centre Region Council of Governments (COG) General Forum has forwarded the Master Site Plan Report for the Whitehall Road Parklands to the participating municipalities for comment. Comments will be provided to the Parks Capital Committee for their August 19 meeting.

Board members are asked to bring their copy of the report provided at the General Forum meeting. The report is also available on-line at [http://www.crpr.org/parks/Regional-Pks/2-Whitehall\\_Rd\\_Intro.html](http://www.crpr.org/parks/Regional-Pks/2-Whitehall_Rd_Intro.html).

d. **Hess Field Joint Articles of Agreement**

The Centre Region Council of Governments (COG) General Forum has forwarded the Articles of Agreement for Acquiring the Hess Field Softball Field Complex to the participating municipalities for adoption. An Ordinance adopting the Agreement and authorizing the Chair to execute same has been advertised. Copies of the Ordinance and Agreement are included with the agenda materials.

e. **Hess Field Master Plan**

A draft of the Hess Field Master Plan has been requested from Centre Region Parks and Recreation. It is anticipated that the draft plan will be available for the meeting.

Background information on Hess Field is available on the CRPR website at [http://www.crpr.org/parks/Regional-Pks/Hess/Hess\\_Eval.html](http://www.crpr.org/parks/Regional-Pks/Hess/Hess_Eval.html).

6. **PLANNING AND ZONING**

a. **Planning Commission Report**

The Board will receive a report from Commission member Rory Stenerson on the activities of the Planning Commission.

b. **Rezoning Request for 1938 Waddle Road: Parcels 18-13-63A & -63D**

In May of 2010, the Patton Township Board of Supervisors received a request from Hawbaker Office Center Partnership, LP to rezone two parcels with frontage along Waddle Road and Weaver Street in the Woodycrest neighborhood from Medium Density Residential (R-3) to Office Buffer District (OBD). The subject parcels are ID #18-13-63A and -63D and are addressed as 1938 Waddle Road.

In July of 2010, the Planning Commission voted 3 to 2 in favor of the proposed rezoning.

6. **PLANNING AND ZONING** (CONT'D)

b. **Rezoning Request for 1938 Waddle Road: Parcels 18-13-63A & -63D**  
(Cont'd)

At their July meeting, the Board received the Planning Commission recommendation and heard testimony from residents of Woodycrest in opposition to the rezoning. A motion to move the rezoning to a Public Hearing failed on a 2 to 2 vote (one member being absent). The Board then directed staff to explore an option of permitting parking on an R-3 property adjacent to OBD and to place the issue on the August agenda for further consideration.

As directed, Township and CRPA staff developed proposed regulations that would permit stand-alone parking lots on an R-3 property adjacent to a non-residential district. The Planning Commission reviewed this alternative to the proposed rezoning at their August meeting. The Planning Commission, on a 4 to 1 vote, recommended moving forward with the original rezoning proposal.

The agenda packet includes:

- Draft amendments to R3: §175-12.F: Parking lots as a transitional use
- Summary of draft regulations
- 11 x 17 map showing the R3 district and adjacent districts

The Board can consider action to:

- A. Schedule a Public Hearing on rezoning the property to OBD, or
- B. Schedule a Public Hearing on revising the R-3 regulations, or
- C. Discontinue consideration of the matter by a vote or by lack of action on options A and B.

If the Board moves to a public hearing, the matter will be presented to the Centre Regional Planning Commission on September 2 and comments will be solicited from the County Planning Office. The earliest opportunity to hold the Public Hearing is the September 22 meeting of the Board of Supervisors.

c. **Bike and Pedestrian Path Plan**

The Planning Commission has recommended the following three preferred routes (in priority order) for further consideration under the Township's Capital Improvement Plan:

1. Link 8, From Circleville Park to Grays Woods Boulevard along Circleville Road (1.26 miles, estimated cost: \$386,300)
2. Link 6, From Little Lion Drive to Devonshire Drive along Valley Vista Drive (0.65 miles, estimated cost: \$192,184)
3. Link 16, Oakwood Avenue to Bellefonte Central Rail Trail through Oakwood Open Space and PSU Arboretum (0.38 miles, estimated cost: \$113,080)

6. **PLANNING AND ZONING** (CONT'D)

c. **Bike and Pedestrian Path Plan** (Cont'd)

This recommendation is the result of a study effort that commenced with identifying destinations that should be accessible to bicycles. Then potential routes were identified to connect the destinations. Next, the routes were reviewed and ranked with regard to a weighted set of criteria (detailed in the attachments). The engineering staff prepared cost estimates based on prevailing contracting costs and assumed the paths would be paved.

It is highly unlikely that the Township can undertake the construction of these links without significant grant funding. Funding may be available under a new DOT grant opportunity – The Pennsylvania Community Transportation Initiative. The application period for the next round of Transportation Enhancement funds should open late in 2010. In the past there has also been funding available through the Department of Conservation and Natural Resources.

The agenda packet includes:

- Bike/pedestrian path preferred route estimates
- Ranking information
- Funding issues pertaining to bicycle facilities
- 11 x 17 map of preferred routes

If the Board concurs with the recommendation of the Planning Commission, they should consider action to direct staff to include these projects, and associated grant funding, in the upcoming Capital Improvement Plan. These priority projects would also be forwarded to CRPA for inclusion in an up-coming region-wide study of bikeway needs.

d. **Proposed Amendment to Chapter 140, Signs: Menu Boards**

McDonald's Corporation has submitted a request for consideration towards amending the Township's sign regulations to allow the installation of a second menu board and to increase the maximum size from 40 square feet to 45 square feet. A copy of the request letter is included with the agenda materials.

The Board of Supervisors received the request in July, referred same to the Planning Commission (PC) for a recommendation, and directed staff to invite the members of the Sign Review Board to attend the PC meeting and comment on the request.

The PC reviewed the request at their August meeting and recommended adopting the amendments to §140-10.B of the sign code as written.

The agenda packet includes a letter from McDonald's Corporation, a site exhibit, and the draft amendments to §140-10.B.

6. **PLANNING AND ZONING (CONT'D)**

d. **Proposed Amendment to Chapter 140, Signs: Menu Boards (Cont'd)**

If the Board concurs with the recommendation of the Planning Commission, they should consider action to direct staff to advertise an ordinance to amend the Code. It is recommended that this item be placed on the September 22, 2010 agenda.

7. **ADMINISTRATION**

a. **Council of Governments (COG) 2010/2011 Program Plan**

The General Forum has referred the 2010/2011 Centre Region COG Program Plan to the municipalities for review and comment. The Board undertook a preliminary review of the Plan in July.

The Manager will provide a summary of the issues outlined in the Executive Director's report (pages 6 to 15) along with the Manager's comments. An electronic copy of the Plan was distributed to the Board members and is available upon request. Board members also received a hard copy of the Plan at the General Forum meeting.

The Board's comments will be forwarded to the Executive Director for his consideration during preparation of the proposed 2011 COG Budget.

b. **Earned Income Tax (EIT) Collections**

Recall that the Commonwealth has mandated that all EIT collections will be handled on a county-wide basis beginning no later than 2012. The Centre County Tax Collection Committee (TCC), comprised of representatives from all municipalities and school districts in the county, has been moving forward on implementing this mandate. The TCC will be designating the Borough of State College as the Tax Collector for Centre County. It has been agreed that the Borough will be compensated for the actual costs of collection and it is estimated that the first year of collections will cost approximately \$1,050,000. A summary of these items is included in the agenda packet materials in a letter from the TCC Chair.

i. **Cost Allocation Options**

An item of current discussion at the TCC is how the costs of collections will be allocated to the taxing jurisdictions. Typically, costs would be allocated based on revenue collected at a straight percentage basis (e.g., 2% of taxes collected). Note that the jurisdictions involved are levying the EIT at different

7. ADMINISTRATION (CONT'D)

b. Earned Income Tax (EIT) Collections (Cont'd)

i. Cost Allocation Options (cont'd)

rates such as 0.5% for Second Class Townships, 0.95% for SCASD, and 1.4% for Ferguson Township. Those with higher rates are anticipating large increases in their collection costs. To counteract this, Ferguson Township and Bald Eagle Area School District have proposed that the costs be allocated based on the state mandated formula that is used to allocate votes in the TCC (see letter dated August 6 to Chair Abrams). This formula takes into account both EIT revenues and population.

The two cost allocation methods are shown as the two left-hand columns on the spreadsheet attached to both pieces of correspondence. The right-hand column of the spreadsheet is the 2009 collection costs as self-reported by each political subdivision (PSD). Because it is unknown what cost items are included, or not included in these self-reported figures, making comparisons to the allocated cost columns may not be valid.

The Finance Director, the Township's appointed representative to the TCC, requests direction from the Board on this matter.

ii. Early Implementation

Act 32 would permit the Township to enter into an individual agreement with State College Borough to begin the transition in collectors in 2011. Under this scenario, taxes withheld by employers in 2011 would be submitted to the Borough Tax Office and the Township would be responsible for processing the 2010 taxpayer returns due by April 15, 2011. The 2011 taxpayer returns (due by April 15, 2012) would be processed by the Borough Tax Office. The Borough requests that jurisdictions interested in early implementation notify them by mid-September.

If we wait until 2012 to implement, the Township would process the 2011 returns while employers would begin submitting withholdings to the Borough for 2012 taxes.

The Manager recommends that the Board take action to authorize the Manager and/or Finance Director to notify the Borough of our desire to discuss early implementation. This authorization is not binding, and a final recommendation will be provided in conjunction with upcoming Budget discussions.

**7. ADMINISTRATION (CONT'D)**

**c. Financial Trend Monitoring System**

The Finance Director will present a new tool for assessing the financial position of the Township. The Financial Trends Monitoring System is a look at indicators of the financial stability and sustainability for the delivery of Township services to our residents and businesses.

A copy of the 2000 to 2009 Financial Trends Monitoring System Report is included in the agenda packet.

**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. Planning and Zoning**

- 1) *Temporary Use Permit – Trinity Lutheran Church*
- 2) *Repeal of old Well Construction and Siting Regulations*

**b. Administration**

- 1) *Permit Extension Fee for Code Administration*
- 2) *Voucher Report*

**9. MANAGER'S REPORT**

The Manager will report on current matters, including the following:

- a. Development Update (enclosed)
- b. Homestead Farms Roads
- c. New Traffic Signal on Atherton
- d. Zoning Hearing Board Decisions (enclosed)

**10. COMMITTEE REPORTS**

Board members should report on the meeting(s) of the COG and other committee(s) on which they serve, including:

- a. Standing and Ad Hoc COG Committees
- b. Spring Creek Watershed Commission
- c. Patton/Halfmoon Area Plan Steering Committee

**11. EXECUTIVE SESSION**

The Board will meet in Executive Session to receive an update on the collective bargaining negotiations with the Police Officer's Association.

**12. OTHER BUSINESS**

**13. ADJOURNMENT**

**14. FOR YOUR INFORMATION**

Enclosed are copies of the following:

- Notice of Public Comment Period for the final draft of the Centre County Long Range Transportation Plan 2040 and draft Air Quality Conformity Analysis Report
- Advertisement for Special Meeting of the Board on August 23, 2010