

ATTENDANCE:

BOARD	Elliot Abrams, Chair Bryce Boyer, Vice-Chair Jeff Luck, Supervisor Josh Troxell, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Brent Brubaker, Township Engineer Pat Hubert, Assistant Township Engineer John Petrick, Chief of Police Kim Wyatt, Finance Director Kimberly Fragola, Township Secretary Joe Price, CRPA Senior Planner Betsy Dupuis, Solicitor
ABSENT	None
AUDIENCE	2 CNET Volunteers

1. CALL TO ORDER

The January 4, 2010 Patton Township Board of Supervisors meeting held at the Patton Township Municipal Building, 100 Patton Plaza, State College, PA, was called to order at 7:00 PM by 2009 Chair Elliot Abrams serving as Temporary Chair.

2. ELECTION OF OFFICERS

Mr. Boyer nominated Mr. Abrams for Chair, and Mr. Troxell seconded. The vote in favor was 5-0.

Mr. Luck nominated Mr. Boyer for Vice-Chair. Seconded by Mr. Troxell, the motion passed 5-0.

3. APPROVAL OF MINUTES

The minutes of the December 9, 2009 meeting were approved 5-0 on a motion by Mr. Boyer, seconded by Mr. Luck.

4. PUBLIC COMMENTS

There were no public comments at this point in the meeting.

5. PLANNING & ZONING

a. Riparian Buffer Regulations: Proposed Amendments to Chapter 153

The Planning Commission has recommended adopting Riparian Buffer regulations under the Township's Subdivision and Land Development regulations which are found at Chapter 153 of the Patton Township Code, Mr. Erickson told the Board. These proposed regulations are an outgrowth of a model ordinance developed by the Centre Region Council of Governments, he explained, for which copies of background information and an excerpt from the December 7, 2009 Planning Commission agenda were distributed with the agenda.

It should be noted that the Township has previously adopted stream buffer requirements for the large majority of streams in the Township, Mr. Erickson stated. He added that CRPA Planner Joe Price has compiled the following evaluation of current regulations:

- **78% (27.01 mi)** of streams fall under existing ordinance standards – SALDO or Zoning – with a buffer width of 100 or 65 feet. The extent of the buffer width is largely related to the Regional Growth Boundary, i.e. rural vs. urban character of the land.
- **2% (.72 mi)** of streams do not require buffers per township ordinances, but do have a FEMA (Federal Emergency Management Agency) identified floodplain; therefore, the floodplain can be viewed as a quasi buffer.
- **20% (7.08 mi)** of streams are not regulated by existing buffers, nor do they have a FEMA identified floodplain. For streams in this category, there is the possibility that a “default” 50 foot floodplain could be applied pending the results of an in-field floodplain analysis (non FEMA). But, per the literal interpretation of existing regulations, a buffer requirement does not currently exist.

In general, Mr. Erickson summarized, the proposed regulations would require that stream buffers be established as part of any new subdivision or land development or as a part of any re-development process across all zoning districts in the Township. The proposed regulations would also require that vegetation be preserved or established in the stream buffer area, he said.

Mr. Erickson also noted that the Planning Commission recommended that the regulations be adopted under the Township's Subdivision and Land Development regulations and not under the Township's zoning regulations. As such, he explained, the stream buffer regulations would only be applied to new subdivisions and land development activity, or re-development, and would not apply to existing developed properties. An addition to a home or constructing an accessory building or barn, activities that require a zoning permit, are exempt from the stream buffer regulations, he said.

5. PLANNING & ZONING (CONT'D)

a. Riparian Buffer Regulations: Proposed Amendments to Chapter 153 (Cont'd)

Because most of the streams are in the A-1 (Rural) Zoning District, Mr. Erickson pointed out, the planting requirements are very similar to those of an existing federal Department of Agriculture incentive program, the Conservation Reserve Enhancement Program (CREP), which provides payments to land owners to establish stream buffers.

Copies of a memo from the Planner with a summary of the proposed regulations, the draft regulations, a stream map, estimates of buffer vegetation installation costs, and tree shelter illustration were distributed with the agenda.

Mr. Price provided an overview of the proposed regulations. Discussion ensued regarding placement of the regulations within the Township Code chapter on Zoning or Subdivision and Land Development. Discussion was also held regarding how to quantify the improvements that result from the proposed riparian buffer regulations. The Board concluded that the Planning Commission representative attending the January 27 meeting should be prepared to review the pros and cons of the Planning Commission's recommendation.

Mr. Luck, seconded by Mr. Boyer, moved to advertise the ordinance for a Public Hearing and possible adoption on February 10, 2010. The motion passed 5-0.

6. ADMINISTRATION

a. Organization (Continued)

(1) Regular Meeting Dates

Since 1985, the Board of Supervisors has met on the second and fourth Wednesdays of each month, with the meetings beginning at 7:00 PM since 1998, Mr. Erickson stated. Prior to 1998, he added, the Board started its meetings at 7:30 PM. The proposed schedule for 2010, he continued, is similar to that of the last four years and generally includes regular meetings on the second and fourth Wednesdays of each month with adjustments as follows:

January	One organization and one regular meeting
June-August	One regular meeting on the third Wednesday
November	One regular meeting and two special budget meetings
December	One regular meeting

Mr. Erickson stated that if the approach recommended above is accepted, the following specific schedule of meetings is recommended for 2010:

6. ADMINISTRATION (CONT'D)

a. Organization (Continued) (Cont'd)

(1) Regular Meeting Dates (cont'd)

<u>Regular Meetings</u> (2 nd and 4 th Wednesdays unless noted)	
January 27 (4 th Wednesday)	July 21 (3 rd Wednesday)
February 10 and 24	August 18 (3 rd Wednesday)
March 10 and 24	September 8 and 22
April 14 and 28	October 13 and 27
May 12 and 26	November 3 (1 st Wednesday)
June 16 (3 rd Wednesday)	December 8 (2 nd Wednesday)

<u>Special Budget Meetings</u>	
November 10 (2 nd Wednesday)	Budget presented; work session, tentative adoption
November 17 (3 rd Wednesday)	Public hearing; budget work session

Organizational Meeting
 Monday, January 3, 2011

Mr. Luck moved to adopt the meeting schedule as recommended, with a start time of 7:00 PM. Mr. Troxell seconded the motion, which passed 5-0.

(2) COG Committee Assignments

Mr. Erickson reminded the Board that members of the Board of Supervisors serve on Centre Region COG Standing and Ad Hoc Committees. The Chair and Vice-Chair automatically serve as their municipality's representative and alternate on the Executive Committee, he noted. No Patton Township Board member will serve in 2010 as a COG officer, he went on, because the sequence for the rotation of the COG Chair in future years is College Township (2010), State College Borough (2011), Halfmoon Township (2012), Ferguson Township (2013), Patton Township (2014), and Harris Township (2015).

The Board members agreed upon the following list of COG Committee assignments:

Committee	
Executive	Abrams, Boyer Alt.
Public Safety	Boyer, Wise Alt.
Finance	Wise
Human Resources	Troxell, Abrams Alt
Public Services & Environmental	Boyer, Wise Alt
Transportation & Land Use	Luck, Abrams Alt
Parks Capital	Luck

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

a. **Organization (Continued)** (Cont'd)

(2) COG Committee Assignments (cont'd)

Mr. Erickson also pointed out that the Metropolitan Planning Organization (MPO) Coordinating Committee has requested appointment of individuals from member-entities for two year periods. Formerly, the appointees to the COG Transportation Committee served ex-officio as their municipality's representative to the MPO, he explained, and Patton Township's 2009 incumbents are Luck, Abrams Alt. The Board may also reaffirm that the Township's appointment to the MPO Technical Committee is the Public Works Director, and the Assistant Public Works Director shall be the alternate to this committee, he advised. Mr. Wise moved to maintain the 2009 representatives for the 2010-11 appointment period. Mr. Troxell seconded the motion, which passed 5-0.

Mr. Luck moved to continue the policy whereby alternates may vote at COG Committee meetings. The motion, seconded by Mr. Boyer, passed by a vote of 5-0.

(3) Board Committee Appointments

Mr. Erickson said that the Board should make Board Committee Appointments. Mr. Luck, seconded by Mr. Troxell, moved for the following committee appointments:

<u>Committee</u>	
ABC Committee (2 members)	Wise & Troxell
Source Water Protection Project	Boyer
Centre Area Cable Consortium Director	Luck
Patton/Halfmoon Area Plan Steering Committee	Abrams & Boyer
Spring Creek Watershed Commission	Boyer, Bob Donaldson Alt.
Open Space Stewardship Committee Liaison	Wise
Conservation & Efficiency Committee Liaison	Luck

The vote in favor was 5-0.

(4) PSATS Convention Voting Delegate and Authorized Attendees

The annual State Convention of the Pennsylvania State Association of Township Supervisors (PSATS) will be held in Hershey from May 18-21, 2010, Mr. Erickson said, for which copies of the preliminary Conference Program was distributed with the agenda. He also noted that the Board should contact the Secretary to indicate their interest in attending the conference and designate one of its members or the Manager as the voting delegate.

6. ADMINISTRATION (CONT'D)

a. Organization (Continued) (Cont'd)

(4) PSATS Convention Voting Delegate and Authorized Attendees (cont'd)

Mr. Luck moved that Mr. Wise serve as the voting delegate. Seconded by Mr. Boyer, the motion passed 5-0.

(5) Appointments to Authorities, Boards and Commissions (ABCs)

The Board must appoint Township citizens to serve on Authorities, Boards and Commissions where terms of incumbents have expired or a member has resigned, Mr. Erickson stated. Along with a copy of the Policy on Reappointments to ABCs (Resolution No. 2007-031), a report on ABC vacancies and incumbents eligible for reappointment was distributed with the agenda, which recommended reappointment of ABC incumbents eligible for reappointment. All eligible incumbents were contacted to indicate willingness to continue serving, Mr. Erickson noted. The report included the recommended reappointments listed in the below table.

ABC	Incumbent(s)	Years Served	Yrs in new Term	Term will Expire
Centre County Airport Authority	Bob Prosek	6	5	Jan. 5, 2015
Schlow CR Library Board	Cecelia Merkel	1	3	Jan. 7, 2013
	Kristen Berg	4	3	Jan. 7, 2013
Spring Creek Watershed Comm.	Bryce Boyer	1	1	Jan. 3, 2011
	Bob Donaldson (Alt)	1	1	Jan. 3, 2011
Conservation & Efficiency Comm.	Jeff Nucciarone	2	3	Jan. 7, 2013
Open Space Stewardship Comm.	Majid Allan	2	6	Jan. 4, 2016
	George Dohn	1	6	Jan. 4, 2016
Recreation Advisory Committee.	Ann Taylor	8	3	Jan. 7, 2013
Vacancy Board	Gary Vratarich	2	1	Jan. 3, 2011
Zoning Hearing Board	Robert Barlock	4	3	Jan. 7, 2013
	Dan Trevino (Alt)	3	3	Jan. 7, 2013

Recommendations for new appointments to fill other vacancies will be presented when the ABC Committee has interviewed and selected appointees, Mr. Erickson added. He also mentioned that the annual appointment of a Planning Commission member to the Centre Regional Commission will be made at the next Board meeting following receipt of a nomination from the Township Planning Commission.

There was also consensus among the Board Members for the ABC Committee to make a recommendation regarding reducing the number of seats on the Conservation and Efficiency Committee, as well as on the Open Space Stewardship Committee.

Mr. Luck moved to make the reappointments as recommended in the above table. Seconded by Mr. Boyer, the motion passed 5-0.

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

a. **Organization (Continued) (Cont'd)**

(6) Treasurer's Bond Limit

The Second Class Township Code requires that the Board of Supervisors set the bond amount for the Treasurer, Mr. Erickson noted. The amount of \$1,500,000 is recommended for 2010, a continuation of the 2009 amount, he noted.

Mr. Luck, seconded by Mr. Wise, moved to set the Treasurer's bond amount at the recommended level of \$1,500,000. The motion passed 5-0.

(7) Expenditure Approvals

The Board should authorize the Purchasing Officer (Manager) to approve individual purchases of a routine nature up to \$4,000, and of an emergency nature up to \$10,000, with all procurement actions to be reported to the Board of Supervisors, Mr. Erickson noted. This has been the Board's policy since 2002, he added.

Mr. Troxell moved to approve expenditure authorizations at the levels recommended. Seconded by Mr. Wise, the motion passed 5-0.

(8) Bank Depository

Mr. Erickson recommended that the Board continue First National Bank as the general depository for the Township's checking and savings accounts with the stipulation that any bank, savings institution, or PLGIT may be used for the investment of Township funds.

Mr. Luck asked about the decision to stay with the same bank, and Ms. Wyatt explained that Township money is deposited at several banks to be fully insured, and the general depository is at First National Bank because of a long relationship with very good service and no fees.

Mr. Wise, seconded by Mr. Troxell, moved to continue the practice of using First National Bank as the general depository for the Township's checking and savings accounts. The vote was 5-0 in favor.

b. **Appointment of Tax Collector**

The individual elected as Real Estate Tax Collector for 2010-2013 has declined acceptance of the position, Mr. Erickson reported. The Township Tax Collector is designated by law as the collector of the Township, County and School District real estate taxes and related assessments such as street light and fire hydrant assessments, he said, and the Board should take action to appoint a replacement, as the Township Code assigns the responsibility of appointing a

6. ADMINISTRATION (CONT'D)

b. Appointment of Tax Collector (Cont'd)

replacement to the Board of Supervisors. He noted that the qualifications for the appointment are the same as for election to the office: the person must be an "elector of the Township" (registered voter) and must have resided in the Township continuously for at least a year. The Board must make this appointment within 30 days or the matter is turned over to the Vacancy Board, Mr. Erickson explained, and the person appointed to fill the vacancy at this time will serve only until the first Monday in January 2012, with the remaining two years of the current four-year term to be filled through the regular election process in 2011.

It is recommended that the Board appoint the Township Manager to serve this term as Real Estate Tax Collector, Mr. Erickson advised. This is the procedure that has been followed for the past several years, he noted. If this appointment is made, he continued, the Township Manager will contract with the Township to have the Township Tax Office collect the real estate taxes, and the contract provides that the net commissions paid to the Tax Collector are paid over to the Township for this work, and that the Manager neither makes nor loses money on the transaction. This approach has been used in Patton Township for the past several years, Mr. Erickson confirmed, and the Township Tax Office cannot be designated directly to collect real estate taxes because the law requires the appointment of a "person" meeting the qualifications noted above.

Mr. Luck, seconded by Mr. Troxell, moved to appoint Township Manager Doug Erickson as Real Estate Tax Collector. The vote in favor was 5-0.

7. MANAGER'S REPORT

Mr. Erickson reminded the Board that the annual ABC Volunteer Appreciation Dinner will be held on Friday, January 29, 2010.

Distributed with the agenda were copies of an e-mail exchange between the Township Manager and a resident regarding Oakwood Centre. Mr. Luck noted that this is the second complaint about blowing trash and asked about the regulations. Mr. Erickson explained that the regulations require trash to be contained. Mr. Luck also asked about the possibility of a noise ordinance, which Mr. Erickson pointed out would be very difficult to enforce. Mr. Erickson added that the Township has good relations with the Oakwood Centre businesses, and that he is confident that these issues will be resolved.

8. COMMITTEE REPORTS

Mr. Abrams provided an update on current happenings regarding the possibility of tolling I-80.

9. OTHER BUSINESS

No other business was brought before the Board.

10. ADJOURNMENT

There being no further business, by Mr. Luck's motion and Mr. Troxell's second, the meeting was adjourned at 8:03 PM.

Kimberly Fragola, Township Secretary