

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 John Petrick, Chief of Police Kim Wyatt, Finance Director Kimberly Fragola, Township Secretary Joe Price, CRPA Senior Planner Betsy Dupuis, Solicitor
ABSENT	Pat Hubert, Assistant Township Engineer
AUDIENCE	4 CNET Volunteers John Walters, Tyler Jolley, Frank Monroe, Mark Swindell – Patton Township Police Department Dan Hawbaker – Glenn O. Hawbaker Inc. Kristen Berg, Cecelia Merkel, and Cathi Alloway – Schlow Library Residents: Gary Vratarich

1. CALL TO ORDER

The May 26, 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 7:03 PM by Chair Elliot Abrams.

2. RECOGNITION OF SERGEANT JOHN WALTERS

The Board recognized the many years of excellent service to the residents and businesses of Patton Township provided by Sergeant John Walters, who will be retiring soon from the Police Department

3. PUBLIC COMMENTS

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

4. PUBLIC SAFETY

a. Police Update

Copies of the March 2010 and April 2010 Public Safety Reports were distributed with the agenda. Chief Petrick pointed out recent training and community

4. **PUBLIC SAFETY (CONT'D)**

a. **Police Update (Cont'd)**

relations events, safety seat checks, the appointment of a detective, aggressive driving details, and retail theft / loss prevention efforts.

***** Discussion of these items was postponed until later in the meeting. *****

5. **PLANNING AND ZONING**

a. **Request to Rezone Property at 1938 Waddle Road**

b. **Request to Waive Minimum Lot Size for Keeping Chickens**

6. **ADMINISTRATION**

a. **Schlow Centre Region Library**

The new Library Director, Cathi Alloway, and the Patton Township Library Board Members, Kristen Berg and Cecelia Merkel, distributed copies of a fact sheet on state funding, reviewed usage by Patton Township residents, and provided information on material costs. In response to Mr. Luck, Ms. Alloway told the Board about Power Library and the policy for book donations.

5. **PLANNING AND ZONING**

a. **Request to Rezone Properties on Waddle Road**

[Discussion of this item was postponed earlier in the meeting.]

Dan Hawbaker has submitted a request for rezoning the property at 1938 Waddle Road (parcels 18-13-68A and -68D) from Medium Density Residence (R-3) to Office Buffer District (OBD), Mr. Erickson informed the Board. This property is adjacent to the Hawbaker Office Center at 1952 Waddle Road, which is currently zoned as OBD, he said. Copies of a location map and the request letter were distributed with the agenda.

Dan Hawbaker, Glenn O. Hawbaker Inc., reviewed the intentions for increased parking.

Mr. Luck, seconded by Mr. Boyer, moved to refer the rezoning request to the Planning Commission for study and a recommendation. The motion passed 5-0.

Mr. Erickson added that John Parker, owner of four properties located at 1920 Waddle Road, and 1931, 1923, and 1914 Weaver Street, has also requested consideration for rezoning, duplicating his request from July 2008. Distributed with the supplemental agenda were copies of a location map.

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

a. **Request to Rezone Properties on Waddle Road (Cont'd)**

Noting that the request and general zoning philosophies from the July 2008 discussion remain unchanged, the Board took no action on Mr. Parker's zoning request.

b. **Request to Waive Minimum Lot Size for Keeping Chickens**

[Discussion of this item was postponed earlier in the meeting.]

The owners of 1969 Highland Drive have requested that the Board grant them a waiver from the minimum lot size of one-half acre required for keeping up to four hen chickens, Mr. Erickson stated. He further noted that this requirement is not in the Township's zoning regulations, so therefore the Board does have discretion to grant waivers for this type of issue. Distributed with the agenda were copies of a location map, the request letter, letters of support from adjacent neighbors on Highland Drive, and photos of the back yard of the subject property. Distributed with the supplemental agenda were copies of e-mails from two residents in opposition to the requested waiver.

The Board expressed various viewpoints on the matter and ultimately took no action.

6. **ADMINISTRATION**

a. **Schlow Centre Region Library**

[Discussion of this item occurred earlier in the meeting.]

b. **2009 Financial Statement**

The Township's appointed auditors have completed their audit and review of the Township's financial activities for 2009, Ms. Wyatt reported. Copies of the audited financial statements were distributed electronically to the Board Members. The Board received the report.

c. **Centre County Tax Collection Committee Update**

Act 32 of 2008 mandates that municipalities and school districts create county-wide Tax Collection Committees to begin the collection of Local Earned Income Taxes (EIT) no later than 2012, Ms. Wyatt recalled. The Committee formed in September of 2009 and since has approved bylaws and undertaken a process to review the means available to collect EIT on a county-wide basis, she reported, and the Committee must appoint a Tax Collector (for 2012) by September 15, 2010.

6. ADMINISTRATION (CONT'D)

c. Centre County Tax Collection Committee Update (Cont'd)

Ms. Wyatt went on to explain that the Committee identified several models for collecting the EIT:

- Create a non-profit, locally controlled Tax Bureau
- Contract with a for-profit vendor
- Contract with an existing Tax Bureau (i.e. York/Adams County)
- Contract with a local agency (i.e. a Centre County municipality or school district)

Over the past few months the Committee has received presentations from a Tax Bureau and for-profit collectors regarding the above collection models, Ms. Wyatt noted, with the Borough of State College also having provided a presentation expressing their interest in collecting EIT county-wide. In April the Committee opted to begin to explore with the Borough the possibility of collecting the EIT by developing criteria for a scope of services and a pricing model, Ms. Wyatt continued, which resulted in the drafting of a proposed Memorandum of Understanding (MOU) between the Borough and the Committee, highlights of which include:

1. Goals

- To collect the maximum amount of tax at the least possible cost while providing the highest quality customer service; and
- To improve and enhance the tax collection process; and
- To establish information and reporting requirements needed to provide TCC and taxing districts proper oversight of tax collector performance.

2. Contract Term 3 years with two 1 year options

3. Customer Service

- Will provide taxpayer and employer workshops
- Will provide on-line filing for taxpayers and employers
- Options to staff a Bellefonte office and provide “circuit riders” to other municipalities and school districts

4. Costs At actual costs of collection net of investment proceeds. Capital costs to be depreciated over five years.

The MOU has been reviewed once by the Committee as a whole, Ms. Wyatt stated, and the Committee requests that the municipalities review the MOU and provide comments by June 10, 2010. Copies of the proposed MOU were distributed with the agenda.

Board consensus was in support of the MOU as drafted.

6. ADMINISTRATION (CONT'D)

d. Waddle Road Interchange Agreement with Toftrees Partners for Cost Sharing

In 2009 the Board designated the upgrade of the Waddle Road Interchange as the Township's top priority project, Mr. Erickson reminded the Board. Together with the developer of the Toftrees Planned Community, he reviewed, the Township has begun seeking funding through Congressional delegates, and Patton Township and the Toftrees Partners have each agreed to fund 10 percent of the project to match the expected 80 percent to be received through federal earmarks and state grants. To finance the pre-construction costs for the project the Township has secured a \$3,000,000 Pennsylvania Infrastructure Bank (PIB) loan with an interest rate of 1.625 percent, he reported. Prior to finalizing the loan with the Commonwealth, the Township must secure a binding pledge from Toftrees Partners for repayment and guarantee of their 50 percent of the loan amount and other expenses, Mr. Erickson noted. To that end, he said, an agreement has been drafted detailing the responsibilities of each party. Copies of the draft agreement and loan term sheet were distributed with the agenda. As guarantee or collateral for their half of the loan, Mr. Erickson explained, the Toftrees Partners will provide the Township with First Lien Mortgages on several undeveloped parcels in Toftrees with an aggregate value of at least 133 percent of their share of the principal and interest. The parcels have been appraised for the collateral value to be at least \$2.2 million, he said, and the Solicitor is reviewing the titles for these properties for any other encumbrances.

Mr. Luck moved to approve the Agreement and authorize the Chair to execute same contingent upon final review and recommendation from the Solicitor. Seconded by Mr. Troxell, the vote in favor was 5-0.

7. CONSENT AGENDA

The items included below are routine in nature, and it is not anticipated that any will generate discussion or questions, Mr. Erickson stated. Copies of the actual Consent Agenda that included the italicized text below and supporting materials were distributed with the agenda. At the request of a Board member any single item or all items on the Consent Agenda can be discussed and voted on separately, Mr. Erickson stated. If no items are "pulled," he explained, the Board should consider a motion for "*approval of the Consent Agenda items as shown on the agenda.*"

a. ADMINISTRATION

1) *Agreement with Premier Power Solutions*

Premier Power Solutions is a firm that can assist the Township in reducing electrical power costs by bidding power requirements to many generators to get the best possible electrical generation rates. Premier will aggregate Patton Township's electrical needs with many other like

7. **CONSENT AGENDA** (CONT'D)

users to create an attractive pool for bidding. Premier is paid by the electrical generator at the rate of \$0.001 per kWh.

The President of Premier presented information at the latest COG General Forum meeting on the upcoming electrical rate deregulation and his firm. Since the General Forum presentation, Premier has arranged an accommodation with Allegheny Power to obtain a discount on un-metered street light accounts also.

A copy of the proposed agreement (Agreement to Provide Energy Purchasing Consulting Services) is included in the agenda materials.

The Manager recommends that the Board approve the agreement with Premier Power Solutions and authorize the Chair to execute same.

2) ***Appoint Finance Director as Delegate to Tax Collection Committee***

In 2010 the Board appointed the Manager as the Delegate and the Finance Director as the Alternate for the Centre County Tax Collection Committee, which is working towards implementation of county-wide collection of Earned Income Taxes in 2012. Recently the Finance Director was elected as Secretary of the Committee, and therefore, the Board is requested to revise the prior appointments.

It is recommended that the Board revise the appointments to the Centre County Tax Collection Committee by appointing the Finance Director, Ms. Kimberly Wyatt, as the Delegate, and by appointing the Township Manager, Mr. Douglas Erickson, as the Alternate.

3) ***Voucher Report***

A copy of the April 2010 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 April 2010 Voucher Report.

Mr. Luck moved for approval of the Consent Agenda items as shown on the agenda. Mr. Troxell seconded the motion, which passed by a vote of 5-0.

8. MANAGER'S REPORT

Mr. Erickson drew attention to the copies distributed with the agenda of a letter from the Central PA 4th Fest thanking the Township for its contribution and requesting consideration of an increased amount. He suggested that the contribution remain as budgeted, with any increased amount to be considered for the following year's budget.

Mr. Erickson also noted the opportunity to expand the right-of-way through the Haugh Open Space for a bikeway connection between Circleville Park and the Graysdale neighborhood. He distributed copies of an area drawing and noted that the deed and conservation easement requirements are being researched. Mr. Luck, seconded by Mr. Troxell, moved to approve the concept. The motion passed 5-0.

9. COMMITTEE REPORTS

The Supervisors had nothing to report.

10. OTHER BUSINESS

Mr. Luck asked for input from his fellow Board Members on the position to take going forward in Regional Parks discussions. Consensus was for maintaining the positions previously expressed.

11. ADJOURNMENT

There being no further business, by Mr. Troxell's motion and Mr. Luck's second, the meeting was adjourned at 8:23 PM.

Kimberly Fragola, Township Secretary