

ATTENDANCE:

BOARD	Elliot Abrams, Chair Josh Troxell, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Brent Brubaker, Township Engineer Betsy Dupuis, Solicitor Kim Wyatt, Finance Director John Petrick, Chief of Police Joe Price, Senior Planner
ABSENT	Bryce Boyer, Vice-Chair Jeff Luck, Supervisor
AUDIENCE	Holly Guna, Don Patron Mexican Grill Jorge Bravo, Don Patron Mexican Grill

1. **CALL TO ORDER**

The May 23, 2012 Patton Township Board of Supervisors meeting held at the Township Municipal Building was called to order at 7:00 PM by Mr. Abrams, Chair.

2. **PUBLIC COMMENTS**

There were no public comments.

3. **PUBLIC HEARING AND ACTION CONSIDERATION: LIQUOR LICENSE TRANSFER FOR DON PATRON MEXICAN GRILL, 1653 NORTH ATHERTON STREET**

Mr. Erickson stated that Don Patron Mexican Grill of State College, LLC, has requested approval of the Board for the transfer of PA Restaurant Liquor License No. R-16361 from 329 Chestnut Street, Rush Township, Munson, Pennsylvania to Patton Township. This transfer has been requested under the provisions of the Pennsylvania Liquor Code, which provide for intermunicipal transfers of liquor licenses. The proposed license would be assigned to the Don Patron Mexican Grill to be located at 1653 North Atherton Street (in the Wal-Mart Plaza), State College, PA 16803 former location of Cici's Pizza.

The law requires that the Board of Supervisors advertise and hold a public hearing on the request for the transfer. The Liquor Code further states:

“The receiving municipality shall approve the request unless it finds that doing so would adversely affect the welfare, health, peace and morals of the municipality or its residents.”

If the Board determines there are no adverse effects, it must adopt a resolution approving the transfer within 45 days of the application [i.e., by June 14, 2012]. If the Board determines there are adverse effects, it must specify those adverse effects in a resolution denying the transfer.

a. **Public Hearing**

The Board of Supervisors convened the Liquor License Transfer for Don Patron Mexican Grill, 1653 North Atherton Street Public Hearing at 7:03pm.

Ms. Guna stated that they proposed to transfer PA Restaurant Liquor License No. R-16361 from 329 Chestnut Street, Rush Township, Munson, Pennsylvania to Patton Township. She stated that they are looking to seat around 120 patrons and that 85% to 87% of all sales are food and at their

3. **PUBLIC HEARING AND ACTION CONSIDERATION: LIQUOR LICENSE TRANSFER FOR DON PATRON MEXICAN GRILL, 1653 NORTH ATHERTON STREET (continued)**

a. **Public Hearing (continued)**

Morgantown location, home of the University of West Virginia, their alcohol sales are only 12% of all sales.

On a motion from Mr. Troxell and seconded by Mr. Wise, the Board of Supervisors closed the Public Hearing at 7:07pm with a vote of 3-0

b. **Action Consideration**

Mr. Troxell moved to adopt Resolution No. 2012-005 approving the transfer of PA Restaurant Liquor License No. R-16361 from 329 Chestnut Street, Rush Township, Munson, Pennsylvania to Patton Township. Seconded by Mr. Wise, the motion passed 3-0.

4. **PUBLIC SAFETY**

a. **Police Report**

Chief Petrick reported that in April there was another Junior Police Academy graduation and he wanted to commended Officer Snyder and Officer Carter for their commitment to this program. He stated that Officer Shoemaker took part of a national prescription drug take out in which 156 lbs of unused or expired medications were brought in at Giant located in Ferguson Township and we are hoping to have one in Patton Township next year. He stated that there was a decrease in part 1 crimes and an increase of part 2 crimes due to 11 driving under the influence arrests. He informed the Board that on May 17th there was a taser deployment on an individual who went to attack an officer and that the individual was taken to Mt. Nittany Medical Center for observation and was not injured.

5. **ADMINISTRATION**

a. **2011 Financial Statement**

Ms. Wyatt informed the Board that the Township is in decent financial shape and that there were no findings nor is there a management comment letter.

6. **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) **Line Painting Contract**

Ferguson Township has solicited and received bids for the cooperative line-painting program. The Township Engineer's recommendation is included on the enclosed memo.

It is recommended that the Board accept the bid price of \$9,867.40 for the Patton Township share of the project and agree to the joint contract with

6. **CONSENT AGENDA** (continued)

a. **Public Works** (contined)

1) **Line Painting Contract (continued)**

Alpha Space Control of Chambersburg, PA for line painting through Ferguson Township.

2) **Resolution to Accept Deeds for Relocation of Gray's Woods Boulevard and Scotia Road**

In March the Board approved a subdivision/lot consolidation plan for MCP Real Estate to provide for new rights-of-way for Gray's Woods Boulevard and Scotia Road consistent with the physical location of these streets. In turn the Township vacated, by agreement, the former rights-of-way and will be conveying lands to adjacent owners.

At this time the deeds for the new rights-of-way for Gray's Woods Boulevard and Scotia Road have been executed by the Gray's Woods Partnership. Copies of the deeds and proposed Resolution are included with the agenda materials

It is recommended that the Board accept the deeds and approve Resolution 2012-006.

b. **Planning & Zoning**

1) **Temporary Use Permit: Kish Bank Family Fun Day**

Kish Bank has requested a temporary use permit to construct a 20' by 60' tent for a Family Fun Day celebration on June 9, 2012. The tent will be constructed at the Kish Bank facility located at 2610 Green Tech Drive. The tent will be located in the front parking lot facing Home Depot on Friday, June 8 and taken down following the event on June 9. The event will be held on a Saturday and the majority of the building will be closed for business.

Due to timing issues the Planning Commission has not reviewed this Permit

It is recommended that the Board approve a Temporary Use Permit for the Kish Bank Family Fun Day.

c. **Administration**

1) **Voucher Report**

A copy of the April 2012 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 2012 Voucher Report.

Mr. Wise moved to approve the consent agenda including Resolution 2012-006. Seconded by Mr. Troxell, the motion passed 3-0.

9. **MANAGER'S REPORT**

Mr. Erickson stated that he had nothing to report.

10. **COMMITTEE REPORTS**

There was no committee reports to be reported.

11. OTHER BUSINESS

There was no other business.

12. ADJOURNMENT

There being no further business, by Mr. Boyer's motion and Mr. Luck's second, the meeting was adjourned at 7:13 PM.

Douglas J. Erickson, Township Secretary