

ATTENDANCE:

BOARD	Pam Robb, Vice-Chair Daniel Treviño, Supervisor Sultan Magruder, Supervisor Betsy Whitman, Supervisor (via teleconference)	
STAFF	Doug Erickson, Township Manager Tyler Jolley, Chief of Police Lawrence Pegher, Finance Director Alexandra Castrechini, Director of EPZ/Twp Engineer Ken Soder, Director of Public Works Operations Leslie Warriner, CRPA Planner (via teleconference)	
ABSENT	Elliot Abrams, Chair Betsy Dupuis, Solicitor	
AUDIENCE	C-Net (2) Tony Fruchtl, Penn Terra Engineering Bob Poole, State College Friends, LLC Alicia Cornali, S&A Homes Jim Payne, Resident (via teleconference)	Mary Yostpile, Resident (via teleconference)

1. CALL TO ORDER

Ms. Robb, Vice-Chair called to order the January 26, 2023 Board of Supervisor's Meeting at 5:30 PM.

- a. **Announcements** – Agenda Item 7b was deferred to the February 8, 2023 meeting.
- b. **Pledge of Allegiance** – as you are able, please rise and join the Board in the Pledge
- c. **Additions to the Posted Agenda** – NONE

2. PUBLIC COMMENTS

There were no public comments offered at the meeting.

3. PRESENTATIONS / PUBLIC HEARINGS**a. Proposed Amendment to the Patton Township Code: Zoning Changes in the Toftrees Planned Community for the Toftrees Resort Redevelopment**

This request (Item 3a.1) was initially received by the Board on September 26th and referred to the Planning Commission (PC) for review and recommendation.

The Planning Commission reviewed the request at their October meeting and reviewed staff's recommendations at their November meeting. The Planning Commission recommended the following changes to the Toftrees Planned Community zoning regulations found in the Code of Patton Township at Chapter 175, Article IV – Zoning, Planned Community District:

1. Amend Subsection 175.23-2.B(1) to add 50 dwelling units to the total permitted in Toftrees
2. Amend Subsection 175-23.2.C to permit a height of 75 feet for Nonresidential (only) buildings outside of town center, so long as no portion of the building exceeding 50 feet in height is within 150 feet of any property line.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

a. Proposed Amendment to the Patton Township Code: Zoning Changes in the Toftrees Planned Community for the Toftrees Resort Redevelopment (Continued)

Please refer to the [October 3rd Planning Commission agenda](#) and the [November 16th Board meeting agenda](#) for additional background information on this topic.

The agenda materials also included comments from the Centre Regional Planning Agency (Item 3a.2) and the Centre County Office of Planning and Community Development (Item 3a.3).

1) Public Hearing

The Board convened the Public Hearing for the proposed Ordinance 2022-625, Adding 50 Dwelling Units and Increasing Building Height in Toftrees at 5:35pm. Mr. Erickson noted he received one positive comment for the amendment from Mr. Phil Park.

Ms. Yostpile asked what area of Toftrees will this apply to. Mr. Erickson stated that this is for the Toftrees Resort at end of Country Club Lane.

The Board closed the Public Hearing for the proposed Ordinance 2022-625, Adding 50 Dwelling Units and Increasing Building Height in Toftrees at 5:39pm.

2) Action Consideration

Mr. Magruder moved to approve Ordinance 2022-625, Adding 50 Dwelling Units and Increasing Building Height in Toftrees. Seconded by Ms. Whitman, the motion passed 4-0.

4. PUBLIC SAFETY

a. Police Update

Chief Jolley gave a brief overview of the December 2022 Public Safety Report which was enclosed.

b. 2022 Year End Report for Police Department

Chief Jolley gave a brief overview of the 2022 Year End Report which was enclosed.

The agenda materials included the following supplemental reports for 2022:

- Annual In-Service Police Training (Item 4b.1)
- Calls for Service and Use of Force 2021 (Item 4b.2)
- Arrest Distribution Report 2021 (Item 4b.3)
- Public Contact Distribution Report 2021 (Item 4b.4)

This item is for information only; no Board action is required.

5. PUBLIC WORKS OPERATIONS

a. Spongy (formerly known as Gypsy) Moth Update

In December, the Manager reported to the Board that over the summer the Township received a few reports of sightings of Spongy Moth caterpillars from residents across the Township. To proactively guard against a 2023 infestation, the Township Manager engaged Joe Wilson, a consulting ecologist, to conduct egg mass surveys in October in locations where caterpillars were previously reported and in November at additional locations to better characterize the extent of the infestation.

Out of caution, based on past experiences with infestations, the Manager recommends that the areas shown on the three aerial maps included as attachment Item 5a.1 be treated in the spring of 2023. The

5. PUBLIC WORKS OPERATIONS (Continued)

a. Spongy (formerly known as Gypsy) Moth Update (Continued)

total area to be sprayed is 1,285 acres. These areas include these, and other, residential neighborhoods:

Homestead Farms	Park Forest	Woodycrest
Oakwood	Valley Vista Park	Vista Woods

The Manager also recommends that some ground-based spot treatment be provided for oak street trees in the Village at Penn State in Toftrees. The Manager does not have an estimated cost for this yet.

The most effective treatment is to spray the caterpillars with an insecticide such as *Bacillus thuringiensis* subspecies *kurstaki* Berliner (Btk) when the caterpillars are still relatively small – normally in May to early June – with an airplane or helicopter.

At the December meeting the Board directed the Manager to:

1. Survey residents, property owners and other stakeholders about the use of Btk insecticide
2. Obtain pricing for the proposed spraying

For Your Information -- A Gypsy Moth caterpillar infestation normally starts when the very, very small caterpillars hatch or are blown in on spring winds from other infested areas. Once they land in a new host tree they commence eating and growing. As they eat and grow they defoliate trees and make a terrible mess below the tree. If not treated or they do not die naturally, the caterpillars will pupate and the moths will lay egg masses in the early fall that will hatch the next April. Each egg mass can contain 100 to 1,500 eggs.

A survey about the use of Btk insecticide was distributed in January via email and social media. The results of the survey are included with this supplemental agenda distribution as attachment Item 5a.2.

The estimated cost for this treatment was previously estimated to be approximately \$100,000. The 2023 budget included \$15,000 for treatment. The remaining funds would need to be taken from the cash reserve.

Quotes have been requested from several aerial applicators. The low quote was received from Helicopter Applicators for \$51.75 per acre.

The next update will be provided to the Board in March or April. The Manager will also reach out to Ferguson Township and advise them of our plans.

Mr. Trevino moved to approve the Spongy Moth treatment as presented. Seconded by Mr. Magruder, the motion passed 4-0.

6. ENGINEERING, PLANNING, & ZONING

a. Planning Commission Report

Ms. Collins gave a brief overview on the activities of the Planning Commission.

6. ENGINEERING, PLANNING, & ZONING (Continued)

b. Subdivision Plan: Wirtz Property on Ghaner Road

Lockard Surveying and Mapping submitted a subdivision plan for two parcels located at 1062 Ghaner Road in State College. The proposed subdivision includes a minor lot line adjustment between two existing adjacent residential lots in the R-1 (Rural Residential) Zoning District. The purpose of this lot line adjustment is to place the existing paved driveway entirely on Lot 2.

Lot 1 (Tax Parcel 18-3-60F) is currently 1.07 acres and is proposed to be 1.0 acre with the lot line adjustment. Lot 1 is a vacant lot containing a portion of the driveway serving Lot 2.

Lot 2 (Tax Parcel 18-3—59B) is currently .99 acres and is proposed to be 1.06 acres with the lot line adjustment. Lot 2 contains the Wirtz residence, outbuilding, and a portion of the driveway.

The minimum lot size for R-1 is 1.0 acres. The lot line adjustment accommodates the minimum lot size requirement.

The Planning Commission reviewed the plan at their January 10th meeting and recommend conditional approval with completion of all items noted on each comment letter provided by staff.

The agenda materials (attachment Item 6b) include a location map, staff and agency comment letters, and the plan set.

Mr. Magruder moved to approve the Subdivision Plan: Wirtz Property on Ghaner Road. Seconded by Mr. Trevino, the motion passed 4-0.

7. ADMINISTRATION

a. Regional Solar Power Purchase Agreement

Mr. Pegher provided an update on the Regional Solar Power Purchase Agreement.

b. Pending Board Work Tasks

This item was moved to the February 8, 2023 agenda.

c. Anti-Discrimination Regulations and Regional Human Relations Commission

This item was first introduced to the Board in 2021, reintroduced in February of 2022 and again brought forward at the last meeting. See the [January 3, 2023 agenda](#) for additional background information.

In the past weeks, the State College Borough Council approved an ordinance to adopt the proposed Anti-discrimination regulations and form a regional Human Relations Commission (HRC).

The following timetable is offered:

February 8th – final opportunity for comments and amendments to proposed regulations, schedule for adoption

March 8th – Board consideration of adopting proposed regulations by Ordinance

7. ADMINISTRATION (Continued)

d. Re-Codification Project – Request #2 for Board Input

Please see the [January 3, 2023 agenda](#) for additional background information. At that meeting the Manager introduced this project to the Board members and reviewed 5 items that required preliminary approvals.

Of the original 158 comments provided by General Code, there are still 55 that are unresolved. Of these 10 require some level of more detailed review and preliminary approval by the Board of Supervisors.

The items for this agenda include:

- 1) [Chapter 142 Solar Energy Systems](#) - General Code recommends adding penalty provisions by referring to the appropriate provisions in Chapter 175 Zoning. See attachment 7d.1.

Staff concurs with this recommendation.

The Board agreed with the Staff recommendation.

- 2) [Chapter 158 Art IV Real Estate Transfer Tax](#)

General Code recommends replacing the current language to bring the regulations into line with current state statutes. See attachment 7d.2.

Staff concurs with this recommendation.

The Board agreed with the Staff recommendation.

- 3) [Chapter 158 Article V Occupation Assessment Tax](#)

General Code asks if this Article can be repealed because the Township no longer collects this tax. See attachment 7d.3.

Staff recommends repealing the Article.

The Board agreed with the Staff recommendation.

- 4) [Chapter 169 Vehicles, Recreation](#)

General Code notes that “this chapter, adopted in 1978 and last amended in 2004, prohibits engine-powered vehicles upon public roads, streets, highways, sidewalks and alleys and within 1,500 feet of a private residence or church without permission. Does this chapter continue to reflect current Township practice?” See attachment 7d.4.

Because portions of the Chapter appear to be un-enforceable, and the original problem is no longer present, and the Police have other avenues they can use if needed, the Manager and Police Chief recommend repealing the Chapter

The Board agreed with the Staff recommendation.

7. ADMINISTRATION (Continued)

d. Re-Codification Project – Request #2 for Board Input (Continued)

5) Chapter 175 Article XII Zoning Hearing Board

General Code has identified a section (175-64C) where they recommend updating the language in this Article to align with state regulations found in the current Municipalities Planning Code. See attachment 7d.5

Staff recommends making revisions as recommended by General Code.

The Board agreed with the Staff recommendation.

e. Authorities, Boards and Commissions (ABCs) Committee Recommendations

The ABC Committee has reviewed applicants for open seats and makes the following recommendations for appointments:

Recreation Advisory Committee (3-year term)

Cindy Solic

Recreation Advisory Committee (3-year term)

Jeffrey Zapletal

Ms. Whitman moved to appoint Cindy Solic and Jeffrey Zapletal on the Recreation Advisory Committee. Seconded by Mr. Magruder, the motion passed 4-0.

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 available to the public on-line and at the sign-in table. At the request of any 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 Safety – no items

b. Public Works Operations – no items

c. Engineering, Planning, and Zoning

1) Appointments to the Centre Regional Planning Commission

The Planning Commission recommends the appointment of Sharon Collins as the Township’s representative for the Centre Regional Planning Commission and Jim Payne as the alternate representatives.

It is recommended that the Board approve these appointments.

d. Administration

1) Minutes January 3, 2022

The draft minutes of the last Board meeting are included with agenda materials. Board members having questions or changes should contact the Township Manager prior to the meeting so revisions can be included in a supplemental distribution.

8. CONSENT AGENDA (Continued)

d. Administration (Continued)

1) Minutes January 3, 2022 (Continued)

It is recommended that the Board approve the subject minutes.

2) December 2022 Voucher Report

A copy of the December 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 subject Voucher Report.

Ms. Whitman moved to approve the Consent Agenda. Seconded by Mr. Magruder, the motion passed 4-0.

9. MANAGER'S REPORT

Mr. Erickson reported on current matters, including:

- a. Correspondence (enclosed)
 - [1] Development Update
 - [2] CNET Sponsorship for Spring Creek Watershed Commission
- b. Announcements
 - [1] 2022 Q4 Single Family Housing Starts in PT (graphic enclosed)
 - [2] 2022 New Construction Value - \$132,000,000 (88% commercial)
- c. Upcoming Events
 - [1] Township Office Schedule
 - President's Day, Feb 20, Closed
 - Good Friday, April 7, Office Closed for Carpet Cleaning
 - Memorial Day, May 29, Office Closed
 - [2] ABC Volunteer Appreciation Dinner – Feb 3
 - [3] April 23 to 26 PSATS Conference
 - [4] May 16 – Municipal Primary Election

10. COMMITTEE REPORTS

- a. Council of Governments Committees
 - Climate Action and Sustainability Committee -- January 9, Whitman
 - Facilities Committee -- January 10, Whitman (report enclosed)
 - Public Safety Committee -- January 10, Robb
 - Ms. Robb advised Patton Township residents to talk to your home owner's insurance agents about riders:
 - 1. Ground Subsidence (Sinkhole)
 - 2. Earthquake
 - 3. Flood
 - Human Resources Committee -- January 11. Magruder (report enclosed)
 - Finance Committee -- January 12, Trevino
 - Parks Capital Committee -- January 12, Magruder (report enclosed)
 - Land Use and Community Infrastructure Committee -- January 13, Abrams
- b. State College Borough Water Authority, (3rd Thursday) (reports enclosed)
- c. Centre Area Cable Consortium, [as needed – Trevino](#)

10. COMMITTEE REPORTS (Continued)

- d. Spring Creek Watershed Commission, – Mason
- e. Centre County Metropolitan Planning Org. – Abrams, Robb Alt.
- f. [Centre County Airport Authority, \(4th Thursday\) Downsborough](#)
- g. [Solar Power Purchase Working Group, – Whitman, Pegher Alt](#) (report enclosed)

11. OTHER BUSINESS

There was no other business.

12. ADJOURN

Mr. Trevino moved to adjourn the January 26, 2023 Board of Supervisors Meeting at 7:16PM. Seconded by Mr. Magruder the motion passed 4-0.

Douglas J. Erickson, Township Secretary