

ATTENDANCE:

BOARD Elliot Abrams, Chair
Pam Robb, Vice-Chair
Daniel Treviño, Supervisor
Sultan Magruder, Supervisor (via teleconference)

STAFF Doug Erickson, Township Manager
Tyler Jolley, Chief of Police
Lawrence Pegher, Finance Director
Alexandra Castrechini, Director of EPZ/Twp Engineer
Betsy Dupuis, Solicitor (via teleconference)
Ken Soder, Director of Public Works Operations
Leslie Warriner, CRPA Planner

ABSENT Betsy Whitman, Supervisor

AUDIENCE C-Net (3) Sharon Collins, Planning Commission
Tony Fruchtl, Penn Terra Susan Chyczewski, Resident
Bob Poole, Spacemart Alicia Cornali, S&A Homes

1. CALL TO ORDER

Mr. Abrams, Chair, called to order the February 8, 2023 Board of Supervisor's Meeting at 5:30 PM.

- a. **Announcements** – the Board met in Executive Session on February 2nd with consultant GovHR to review candidate information for the Manager position.
- 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. **Black History Month Proclamation**

Mr. Trevino moved to adopt 2023 Black History Month Proclamation. Seconded by Ms. Robb, the motion passed 3-0.

4. PUBLIC SAFETY

a. **January 2023 Police Report**

Chief Jolley gave a brief overview of the January 2023 Police Report.

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

5. PUBLIC WORKS OPERATIONS -- no items

6. ENGINEERING, PLANNING, & ZONING

a. Planning Commission Report

Ms. Collins gave a brief overview of the Planning Commission Report.

These plans for current developments can be found on the Township's website:

[Geisinger Clinic- Gray's Woods Building Addition - Phase 3 Land Development Plan \(PDF\).pdf](#)
[Geisinger Clinic- Phase 3 - Master Plan 1-27-23 \(PDF\).pdf](#)

b. Recommendations from the Planning Commission

The Planning Commission (PC) met on Monday, February 6th and provided recommendations on the two items below.

The Planning Commission agenda was included in the agenda materials as Item 5b and has several of its own attachments related to the above projects.

1) Geisinger Grays Woods – Amended Master Plan (PC Item 4)

Please refer to the Planning Commission agenda, Item 4, for further information on this item. The Planning Commission recommends Conditional Approval of the Master Plan, with completion of all outstanding plan review comments from Staff and Agency letters.

Ms. Robb moved to schedule a Public Hearing to receive comments and consider approval at the March 8, 2023 meeting. Seconded by Mr. Trevino, the motion passed 3-0.

2) Request for Zoning Amendment to add Climate-Controlled Public Self-Storage to the Permitted Uses in the C-2 (Planned Commercial) District (PC Agenda Item 5)

Please refer to the Planning Commission agenda, Item 5, for further information on this item.

The Planning Commission recommends that the Board take action to permit the use as requested by amending the Zoning and Subdivision regulations in the Patton Township Code as follows:

- Amend Section 175-6 (Zoning, Definitions) to add a definition for “MULTI-STORY COMMERCIAL STYLE STORAGE FACILITY” that would read:

A structure with two or more floors designed and used for the storage of materials by multiple individuals for a fee. All materials must be stored within one or more structures on the site. Storage of materials outside of any structure is strictly prohibited. No office, sales, rental of goods or services, or industrial activities shall occur within or outside of the storage buildings, nor shall any hazardous or otherwise dangerous materials be permitted to be stored in such facilities. No more than 40% of the units can be located on the first floor and no more than 40% of the units can have exterior points of access.

- Amend Section 175-17 (Zoning, C-2 Planned Commercial District) to include MULTI-STORY COMMERCIAL STYLE STORAGE FACILITY as a permitted use.
- Amend Section 153-38 (Subdivision and Land Development, Off-street parking regulations) to add the following requirement for MULTI-STORY COMMERCIAL STYLE STORAGE FACILITY:

1 per 50 units, plus 1 per each full-time employee, plus 1 for each loading zone

6. ENGINEERING, PLANNING, & ZONING (Continued)

b. Recommendations from the Planning Commission (Continued)

2) Request for Zoning Amendment to add Climate-Controlled Public Self-Storage to the Permitted Uses in the C-2 (Planned Commercial) District (Continued)

- The Planning Commission further recommends that the Board take action to move the definition of SELF-STORAGE FACILITY from the Planned Airport District section to Section 175-6 (Zoning, Definitions). This definition only applies to classic-type storage facilities that already exist in the Township.

Mr. Trevino moved to schedule a Public Hearing to receive comments and consider approval at the March 8, 2023 meeting, Seconded by Ms. Robb, the motion passed 3-0.

7. ADMINISTRATION

Supervisor Magruder joined the meeting, via video-conference.

a. Regional Solar Power Purchase Agreement

Mr. Pegher gave a brief update on the Regional Solar Power Purchase Agreement.

A recommendation memo from the Director of Finance and Administration was included with the agenda UPDATE (Item 7a).

If the Board decides to cancel the February 22nd meeting (see Item 7e), they should provide direction to staff on the percentage range of electrical capacity to be obligated to this project. We previously agreed to pledge 50% to 90% to the project.

After discussion, the Board reached a consensus of using 100% for Patton Township's participation.

b. (Reserved)

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 ordinances to adopt the proposed Anti-discrimination regulations and form a regional Human Relations Commission (HRC). The Ferguson Township Board is anticipated to approve an ordinance in February.

The Manager and Solicitor provided the Board with an overview of the regulations (Item 7c.1) as adopted by State College Borough.

Ms. Robb moved to schedule the Public Hearing on adopting the proposed regulations by Ordinance on March 8, 2023. Seconded by Mr. Trevino, the motion passed 4-0.

The Board took a recess from 7:00PM-7:04PM.

7. ADMINISTRATION (Continued)

d. Re-Codification Project – Request #3 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 38 that are unresolved. Of these 5 require some level of more detailed review and preliminary approval by the Board of Supervisors.

A few more of the items for Board review are included below for explanation and direction.

- 1) Renumbering of Code - General Code suggests renumbering the Chapters within the Code to provide “ample space between the chapters to accommodate the addition of new ordinances in the future.” See attachment 7d.1 which includes the proposed new Chapter numbering.

Staff concurs with this recommendation.

The Board agreed with Staff recommendation.

- 2) Ch 141 Small Cell Wireless Facilities

General Code notes that this chapter does not contain a penalty provision and asks if Township like to add one. See attachment 7d.2.

Staff recommends adding the standard civil enforcement penalty.

The Board agreed with Staff recommendation.

- 3) § 175-65B General Code recommends deleting this section to match the current Municipalities Planning Code jurisdictional criteria for the Zoning Hearing Board. See attachment 7d.3.

Staff concurs with this recommendation.

The Board agreed with Staff recommendation.

- 4) § 175-67A General Code suggests replacing this section with the language currently found in Section 914.1 of the Municipalities Planning Code. See attachment 7d.4.

Staff concurs with this recommendation.

The Board agreed with Staff recommendation.

- 5) Ch 118 Pest Control General Code questioned whether this Chapter is currently relevant. See attachment 7d.5.

Staff recommends repealing this chapter.

The Board agreed with Staff recommendation.

7. ADMINISTRATION (Continued)

e. Consider Cancelling February 22nd Meeting

At this time, the Manager is not aware of any items that require action before the March 8th meeting.

The Board agreed to cancel the February 22, 2023, Board of Supervisors Meeting.

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

1) Department of General Services- Sodium Chloride Contract

The Township participates in a state-wide contract administered by the Department of General Services (DGS) for deicing salt. The contract runs for one year and requires annual participation approval from each municipality. The program year for this approval begins in August 2023 and ends July 2024. The deadline for submission of the contract is March 15, 2023. A memo from the Director of Public Works Operations with additional background information is included in the agenda materials.

It is recommended that the Board authorize the Director of Public Works Operations to complete the participation agreement for the Sodium Chloride Contract administered by the Pennsylvania DGS as detailed in the memo.

c. Engineering, Planning, and Zoning – no items

1) Accept Easement for Traffic Signal Equipment on Colonnade Boulevard

For the signalization of the main entrance to the Penn Highlands Micro-Hospital, the developer is providing an easement for traffic signal equipment that cannot be accommodated within the existing right-of-way for Colonnade Boulevard. The traffic signal will be installed and operational prior to occupancy of the new facility.

The agenda materials included the Easement document, and a Resolution to be approved by the Board accepting the easement.

It is recommended that the Board adopt Resolution 2023-004, accepting an easement for traffic signal equipment for the Penn Highlands Micro-Hospital

8. **CONSENT AGENDA (Continued)**

d. **Administration**

1) **Minutes January 26, 2023 Meeting**

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.

It is recommended that the Board approve the subject minutes.

2) **Voucher Report**

The January 2023 Voucher Report will be distributed with the February 7th agenda update. 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 above noted Voucher Report.

3) **Resolution for Redevelopment Grant Application for Toftrees Resort**

In 2022, the Board agreed to act as the grant sponsor/recipient of a state Redevelopment Assistance Capital Program ("RACP") grant from the Governor's Office of the Budget for \$2,500,000. This is the same program that was used as part of the grant assistance provided to the Nittany Valley Sports Centre.

The agenda materials included a draft Resolution and a draft Cooperation Agreement with the resort's owner, State College Friends, LP. A final version of the Cooperation Agreement will be attached to the Resolution following legal review by all parties.

It is recommended that the Board adopt Resolution 2023-005 for the subject grant application.

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

9. **MANAGER'S REPORT**

Mr. Erickson gave a brief report on current matters, including:

- a. Correspondence (enclosed)
 - [1] Development Update
 - [2] PFAs Update from DEP
- b. Announcements
 - [1] CATA celebrates retirement of longtime Chair, John Spsychalski (enclosed)
 - [2] Senator Langerholc offers resources for displaced residents (enclosed)
- 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
 - [3] April 23 to 26 PSATS Conference
 - [4] May 16 – Municipal Primary Election

10. COMMITTEE REPORTS

a. Council of Governments Committees

Land Use and Community Infrastructure Committee -- February 2, Abrams
Facilities Committee -- February 7, Whitman (report enclosed)
Finance Committee -- February 9, Trevino
Climate Action and Sustainability Committee – February 13, Whitman
Public Safety Committee -- February 14, Robb
Executive Committee – February 21, Abrams
Parks Governance – February 22, Trevino

Human Resources Committee -- Magruder -- cancelled

- b. State College Borough Water Authority, (3rd Thursday)
- c. Centre Area Cable Consortium, as needed – Trevino
- d. Spring Creek Watershed Commission, – Mason (report enclosed)
- e. Centre County Metropolitan Planning Org. – Abrams, Robb Alt.
- f. Centre County Airport Authority, (4th Thursday) Downsborough (report enclosed)
- g. Solar Power Purchase Working Group, – Whitman, Pegher Alt

11. OTHER BUSINESS

There was no other business.

12. ADJOURN

Ms. Robb moved to adjourn the February 8, 2023 Board of Supervisors Meeting at 7:16PM. Seconded by Mr. Trevino, the motion passed 4-0.

Douglas J. Erickson, Township Secretary