

ATTENDANCE:

BOARD Pam Robb, Vice-Chair
Sultan Magruder, Supervisor
Daniel Treviño, Supervisor
Betsy Whitman, Supervisor

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 Elliot Abrams, Chair

AUDIENCE C-Net (3) Jim Saylor, CRCOG
Nick Argot, Barton Lawson Ron Leshner, Jr., Geisinger
Kirk Thomas, Geisinger Celsea Mali, State College
Tony Fruchtl, Penn Terra Ellen Foreman, Resident
Michael Pratt, Keller Eng

1. CALL TO ORDER

Ms. Robb, Vice-Chair, called to order the March 22, 2023 Board of Supervisor’s Meeting at 5:32 PM.

- a. **Announcements** – See attachment Item 1a; On March 20th Representative Scott Conklin announced the award of a Commonwealth grant to Patton Township, for \$180,000, to help with remediation of the sinkhole affecting the Georgetown Townhomes on Amblewood Way.
- b. **Pledge of Allegiance**
- c. **Additions to the Posted Agenda** – there were no additions to the Posted Agenda.

2. PUBLIC COMMENTS

Ms. Mali asked for update on the pathways. Mr. Erickson stated that staff will prepare a report on this.

3. PRESENTATIONS / PUBLIC HEARINGS

a. Women’s History Month Proclamation

Ms. Robb gave a brief presentation on Women’s History Month Proclamation.

Mr. Magruder moved to approve the Proclamation recognizing Women’s History Month for 2023. Seconded by Ms. Whitman, the motion passed 4-0.

b. Master Plan Amendment; Geisinger Clinic 2023

From the March 8th Board of Supervisors meeting agenda:

This Master Plan Amendment proposes changes to the 2005 Master Plan for the Gray’s Woods Geisinger Clinic facility located at 132 Abigail Lane, Port Matilda. The 51.94 acre tract is located at the Gray’s Woods interchange on I-99 in the Office Buffer District 2 (OBD2) zoning district and the I-99 Overlay district.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

b. Master Plan Amendment; Geisinger Clinic 2023 (Continued)

The 2023 Master Plan shows Geisinger's latest revised plans for the site including changes in the sequencing of phasing, building sizes and locations, parking, stormwater infrastructure, and utility placement, including:

- Phase 3 (2023) includes a 2 story, 21,500 sf addition to the existing Geisinger Clinic structure. It also includes the extension of Abigail Lane, reconfiguring the ADA parking area at the main entrance to the clinic, a new 52 space surface parking lot, sidewalks, signage, bicycle parking, utility relocation, lighting, stormwater infrastructure, and landscaping.
- Phase 4 (2027), includes a 3rd story addition to the existing Geisinger Clinic structure, adding 70,600 sf of medical office space.
- Phases 5 & 6 (2037) includes two new (25,000 sf and 11,500 sf) detached medical office buildings, stormwater infrastructure, a new surface parking area, sidewalks, signage, bicycle parking, utility infrastructure, lighting, and landscaping. It also includes completing the bike path.

The Planning Commission, at their [February 6th](#) meeting, recommended conditional approval of the plan based on the following conditions:

1. *Completion of all outstanding plan review comments from Staff and Agency letters.*

From the March 8th Board of Supervisors meeting agenda (Continued):

The agenda materials include (Item 3b.1) the Location Map, Staff and Agency Plan Review Comment Letters and the Plan Set. The comment letters from the Centre County Office of Planning and Community Development and the Centre Regional Planning Commission, along with an email from Geisinger's engineer noting changes to Phase 4 are included with the agenda materials. (See item 3b.2).

End of March 8th agenda materials

1) Resume Public Hearing

The Public Hearing for the **Geisinger Clinic 2023 Master Plan Amendment** was advertised and convened by the Board Chair at the March 8th meeting. Residents of the area were notified by mail. Following comments offered by a resident of Ghaner Road regarding potential charges from the State College Borough Water Authority for tapping into their system, the Board recessed the hearing until tonight.

Ms. Rob moved to resume the Public Hearing on the Geisinger Clinic 2023 Master Plan at 5:39PM.

The Board closed the Public Hearing on the Geisinger Clinic 2023 Master Plan at 5:40PM.

2) Action Consideration

Ms. Whitman moved to approve the Geisinger Clinic 2023 Master Plan Amendment. Seconded by Mr. Trevino, the motion passed 4-0.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

c. Long Range Transportation Plan / Centre County Metropolitan Planning Organization (MPO)

Mr. Saylor, the Principal Transportation Planner from the Centre Region Planning Agency provided a presentation to the Board on several aspects related to regional transportation planning.

The agenda materials included the slides for the presentation (Item 3c)

4. PUBLIC SAFETY – no items

5. PUBLIC WORKS OPERATIONS – no items

6. ENGINEERING, PLANNING, & ZONING

a. Planning Commission Report

Ms. Foreman gave a brief overview on the activities of the Planning Commission who met on March 13th.

b. Land Development Plan; Brynwood Phase 4A Mass Grading, Gray's Woods Planned Community

From the March 13th Planning Commission meeting agenda:

Keller Engineers submitted a Land Development Plan for Brynwood Phase 4A, Mass grading. This plan submittal proposes 19.91 acres of disturbance to distribute cut material from the construction of Grays Pointe Phase 7A. Stormwater and Erosion and sedimentation control measures will be installed prior to any major site disturbance. No other site improvements are proposed on Brynwood Phase 4A at this time, although the rough grading does reflect the future geometry of road alignment, stormwater, and residential building lots.

Agenda Attachments (Board of Supervisors attachment Item 6b)

- Location Map
- Patton Township Staff Plan Review Comments
- Plan Review Comments from CATA, COG Refuse and Recycling, COG Fire Director, and the Centre County Conservation District
- Plan Set

End of March 13th Planning Commission agenda materials

The Planning Commission recommends Conditional Approval of the Plan with completion of staff comments.

Mr. Trevino moved to approve the Land Development Plan: Brynwood Phase 4A Mass Grading, Gray's Woods Planned Community. Seconded by Mr. Magruder, the motion passed 4-0.

c. Contract Awards for Patton Crossing Road Improvements and Retaining Wall Construction

In October 2020, the Township partnered with the Patton Crossing developers and applied to the Commonwealth for a grant to assist with funding for roadway improvements and entrance features for this development. In 2021 the Township was awarded a \$1,500,000 Multi-modal Transportation Fund (MTF) grant through the Commonwealth Financing Authority (CFA). The Township has entered into a reimbursement agreement with the Commonwealth and a Cooperation Agreement with the project developers. The Cooperation Agreement provides that the project developers will fund all project costs in excess of the grant amount, provide local match where required, and cover all Township expenses related to the administration of the grant.

6. ENGINEERING, PLANNING, & ZONING (Continued)

c. Contract Awards for Patton Crossing Road Improvements and Retaining Wall Construction (Continued)

At this time the developer's engineers have prepared the required plans and other contracting documents to proceed to construction. Bids were solicited and reviewed for two distinct portions of the work:

- 1) Patton Crossing Phase 2 Roadway Improvements (0% match required)
- 2) Patton Crossing Phase 2 Cast In Place Retaining Wall (30% match from developer is required)

The Township Engineer recommends awarding the Roadway Improvements contract to Ameron Construction (State College) for \$1,150,062.50 and rejecting all bids for the Retaining Wall as they both greatly exceed the project estimate. (See attachment Item 6c)

Mr. Trevino moved to award the Roadway Improvements contract to Ameron Construction for \$1,150,062.50. Seconded by Ms. Whitman, the motion passed 4-0.

7. ADMINISTRATION

- a. [Proposed Franchise Agreement for Shenandoah Cable Television \(Shentel\) In October 2022 and January 2023, the Manager provided updates to the Board regarding interest from Shenandoah Cable Television, LLC, doing business as Shentel Cable, to move into the Centre Region market. Late last year, Shentel finalized franchise agreements with State College Borough and Ferguson Township. Shentel is currently working with Harris Township, College Township and Patton Township to finalize franchise agreements.](#)

The agenda materials included a draft Franchise Agreement between Patton Township and Shenandoah Cable Television, LLC (see attachment Item 7a.1). This draft agreement closely matches the existing Franchise Agreement with Comcast. C-Net management has been included in discussions with Shentel. The Cohen Law Group is assisting the municipalities with this effort.

Summary of Franchise Provisions:

- ✓ 5% of the cable operator's gross revenues will be collected as Franchise Fees to compensate the Township for use of our rights-of-way.
- ✓ Establishes a set of comprehensive, quantifiable, and enforceable customer service standards:
 - Telephone answering time limits for customer service representatives;
 - Time limits for commencing installation, service interruption, and repair work, including limits on technicians cancelling appointments with subscribers;
 - A four-hour "appointment window" for service calls;
 - Requirements for notices to subscribers;
 - Requirements that bills be clear, concise, and fully itemized;
 - Customer complaint procedures, including that Shentel may not impose late fees on a subscriber who disputes a bill in good faith until the investigation is completed;
 - Requirements to be met prior to disconnecting service;
 - Credits for service interruptions of six or more hours upon request; and
 - Standards of subscriber privacy.
- ✓ provides protections of the Township's public rights-of-way.
- ✓ The Agreement includes four reporting requirements to the Township to be met by Shentel.

7. ADMINISTRATION (Continued)

a. Proposed Franchise Agreement for Shenandoah Cable Television (Continued)

Summary of Franchise Provisions (Continued):

- ✓ Shentel has agreed to provide capital funding to C-NET, initially in the form of an annual lump sum followed by a transition to a combination of a lump sum amount and a percentage of gross revenues attributable to cable service and ultimately to a percentage of gross revenues attributable to cable service. Such support was negotiated to take into account the fact that Shentel will have no cable subscribers in the Township until the cable system is constructed and operational - hence the lump sum only portion for the first two (2) years.
- ✓ The Agreement requires Shentel to provide Basic level television service to various public buildings, including the Township Building, police stations, fire companies, public works buildings,
- ✓ The term of the Agreement is 10 years. The Township will want to review the “build-out” provisions with the next franchise renewal.

By consensus, the Board agreed to schedule formal approval by ordinance on April 12, 2023.

b. Pending Board Work Tasks

At the end of each Board agenda under Item 14, is a list of topics titled **“Pending Board Work Tasks.”** This is a listing of topics that were briefly discussed at a prior meeting and “tagged” for further consideration. A brief recap of the basis of the initial discussion on each item is included with the agenda materials as Item 7b.1.

Prior to this meeting, members of the Board were asked, via a brief on-line survey, to review each item and determine if:

- a) The topic should continue to remain on the list, and
- b) If remaining, what is its relative priority (high, medium, or low)

The Board members have ranked the topics in this order of priority:

- 1T) Regulating Special Events on Public Property
- 1T) Open Space Preservation Options
- 3) Authorities dissolution
- 4) Stargazing Permits for Individuals
- 5) Home Occupations – potential change by Ord.

The summary survey results were included as Item 7b.2.

The Board agreed to accept the Pending Board Word Tasks as listed.

The Board took a brief 10 minute break.

c. New National Opioids Settlements

In October 2021, the Board approved participation in settlements with McKesson, Cardinal Health, AmerisourceBergen and Janssen Pharmaceuticals, Inc., regarding the manufacture and distribution of opioids. This action was initiated by a consortium of state Attorney Generals. At that time the Board authorized the Manager to sign formal and binding documents on behalf of the Township.

7. ADMINISTRATION (Continued)

c. New National Opioids Settlements (Continued)

Recently, new national opioid Settlements have been reached with **Teva, Allergan, CVS, Walgreens,** and **Walmart**. The Settlements total over \$20 billion. Of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Additional information on the Settlements is include with agenda attachment Item 7c.1

Please note the following points:

- Patton Township has not been a party to any lawsuit involving this issue
- Patton is eligible to participate in the settlement as a municipality with a population of more than 10,000
- While it is not clear if the Township is eligible for any direct funding through the Commonwealth, opting in will increase the share of the settlement provided to Pennsylvania

Mr. Trevino moved to authorize the Manager to sign formal and binding documents on behalf of the Township for this matter.

d. Local Government Week Activities – April 10-14

A group of Township Staff members are planning to conduct activities during national Local Government Week which runs from April 10 to 14, 2023.

Mr. Pegher provided information to the Board on the planned activities.

Mr. Trevino moved to approve a Resolution Recognizing Local Government Week. Seconded by Ms. Whitman, the motion passed 4-0.

e. Pennsylvania State Association of Township Supervisors (PSATS) Proposed Bylaw Change and 2023 Resolutions

The proposed Resolutions for the 2023 PSATS conference were included in the supplemental distribution as Item 7e.1.

The PSATS Finance and Rules Committees have also proposed a change to the Bylaws regarding a 3% increase in annual dues effective in 2024 – see Item 7e.2

Board members should review the proposed Resolutions and Bylaw change and provide direction to Supervisor Trevino, the designated Voting Delegate.

The Board agreed to bring this back to the April 12 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

8. CONSENT AGENDA (Continued)

b. Public Works Operations

1) Designate April 22, 2023 as Watershed Cleanup Day

Clearwater Conservancy has requested that Patton Township designate April 22, 2023 as Watershed Cleanup Day. Clearwater Conservancy has organized this community-wide volunteer effort annually since 1997 and has collected and safely disposed more than 5.5 tons of trash from our watershed last year.

As in past years, the Patton Township Public Works will continue to participate by providing trucks and labor to assist the collection efforts. The Public Works Director will coordinate activities between Clearwater Conservancy and the Township.

[Watershed Cleanup Day | ClearWater \(clearwaterconservancy.org\)](https://www.clearwaterconservancy.org)

A request letter from Clearwater was included with the agenda materials.

It is recommended that the Board designate April 22, 2023 as Watershed Cleanup Day.

c. Engineering, Planning, & Zoning

1) Bike Month Recognition

The League of American Bicyclists celebrates each May as [Bike Month](#). For this year Bike to Work Week will take place May 15-21, 2023 with Bike to Work Day and Centre Region Spring Bike Anywhere Day on Friday, May 19th.

A draft resolution recognizing Bike Month was included with the consent agenda materials.

It is recommended that the Board adopt Resolution 2023-008.

d. Administration

1) Minutes March 8, 2023

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) Approve Grant Agreement for Amblewood Sinkhole Remediation

The Commonwealth of Pennsylvania, acting through the Department of Community and Economic Development, has awarded the Township a grant in the amount of \$180,000 to assist with the impacts from the sinkhole affecting 18 townhomes along Amblewood Way. The draft grant agreement is included with the agenda materials.

It is recommended that the Board approve the subject agreement and authorize the Board Chair and Manager/Secretary to execute the agreement.

Mr. Trevino 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] Letter of Support to CATA for grant application
 - [2] Development Update
 - [3] Response to COG on Budget Priorities
- b. Announcements -- none
- c. Upcoming Events
 - [1] Township Office Schedule
 - Good Friday, April 7, Office Closed for Carpet Cleaning
 - Memorial Day, May 29, Office Closed
 - [2] April 23 to 26 PSATS Conference
 - [3] April 28 & 29 [Household Hazardous Waste Collection](#),
 - [4] May 8 New Manager starts work
 - [5] May 16 [Municipal Primary Election](#)
- d. Matters of Record (enclosed)
 - [1] Final Employment Agreement with incoming Manager (pdf only)

10. COMMITTEE REPORTS

- a. Council of Governments Committees

Climate Action and Sustainability Committee – March 13, Whitman (report enclosed)

Facilities Committee – March 14, Whitman (report enclosed)

Public Safety Committee -- March 14, Robb - Cancelled

Finance Committee – March 16, Trevino (report enclosed)

Executive Committee – March 21, Abrams

P&R Governance – March 22,

Human Resources Committee – April 5, Magruder

Land Use and Community Infrastructure Committee – April 6, Abrams

Climate Action and Sustainability Committee – April 7, Whitman

Public Safety Committee -- April 11, Robb

- 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](#)
- g. [Solar Power Purchase Working Group, – Whitman, Pegher Alt](#)

11. OTHER BUSINESS

There was no other business.

12. ADJOURN

Ms. Whitman moved to adjourn the March 22, 2023 Board of Supervisors Meeting at 7:35PM. Seconded by Mr. Magruder, the motion passed 4-0.

Douglas J. Erickson, Township Secretary