

**ATTENDANCE:**

- BOARD** Pam Robb, Chair  
Daniel Trevino, Supervisor  
Sultan Magruder, Supervisor  
Betsy Whitman, Supervisor
- STAFF** Doug Erickson, Township Manager  
Alexandra Castrechini, Director of EPZ/Twp Engineer  
Tyler Jolley, Chief of Police  
Lawrence Pegher, Finance Director (via tele-conference)  
Ken Soder, Director of Public Works Ops (via tele-conference)  
Betsy Dupuis, Solicitor (via tele-conference)
- AUDIENCE** C-Net (2) Doug Mason, Resident(via tele-conference)  
Joseph Lee, Resident Susan Buda, Resident (via tele-conference)  
Bob Prosek, Planning Commission Lisa Ashcraft, Resident (via tele-conference)  
Laura Fowler, PSU Law (via tele-conf.) Merrill David, Resident (via tele-conference)  
Jim Payne, Resident (via tele-conference)
- ABSENT** Elliot Abrams, Vice-Chair

**1. CALL TO ORDER**

Ms. Robb called to order the May 11, 2022, Board of Supervisors Meeting at 5:30PM.

**a. Announcements**

The Board met in Executive Session with the Manager, Director of Finance and Administration, the Solicitor, and Labor Counsel to discuss contract negotiations with the Police Officers Association.

**b. Pledge of Allegiance – as you are able, please rise and join the Board in the Pledge**

**c. Additions to the Posted Agenda**

There were no additions to the posted Agenda.

**2. PUBLIC COMMENTS**

Ms. Buda asked if intersections that cross North Atherton be safer for bicyclist (see attachment 2.1 to the agenda.) Mr. Erickson stated that will talk to the traffic engineers about this.

**3. PRESENTATIONS / PUBLIC HEARINGS**

**a. Gypsy Moth Control for 2022**

Based on the egg mass survey conducted last fall, the Manager has engaged an aerial applicator to spray the Gray's Woods Park and Gray's Woods Preserve areas to kill the gypsy moth larvae. This should prevent defoliation of these areas and reduce the spread of gypsy moths to other areas of the Township. The spraying will take place sometime between May 15<sup>th</sup> and June 15<sup>th</sup>.

Notices have been sent to homeowners and others in the area (see attachment Item 3a.1.) An ad will also run in the Centre Daily Times on May 8<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>. The resident notice also includes information on the insecticide (BTK) that will be used.

This item is for information only. No Board action is required.

### 3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

#### b. “No Mow May” Proposal

Ms. Whitman requested the Board consider the request included in the email from Park Forest resident Merrill David (see Item 3b.1) to suspend enforcement of lawn limit height for the month of May.

Section 58-1 (Brush, Grass and Weeds, Unlawful growth of grass, weeds and other vegetation) of the Code of Patton Township requires that no one in *non-agricultural areas (paraphrased)*:

“shall, except as hereinafter provided, permit any grass or weeds or vegetation not eatable or planted for some useful or ornamental purpose to grow or remain on such premises, including any portion of the premises occupied by a street or alley, so as to exceed a height of six inches or to throw off any unpleasant or obnoxious odor or to conceal any debris or to create or to produce pollen. All such vegetation is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the Township.”

Mr. Erickson stated that this could be a proposal to look at next year and provide enough time to get a wide range of input. It is likely there are residents who are not in favor of this idea.

Ms. David gave a brief overview of the “No Mow May” Proposal.

Mr. Mason stated that he is supportive of the “No Mow May” Proposal.

Mr. Lee stated he was not in favor of the No Mow May Proposal.

Ms. Whitman would like to adopt having the Code Enforcement not ticket for grass during the month of May. Mr. Erickson noted that it would take an ordinance to suspend enforcement of the Code.

Ms. Buda stated that there should be a compromise.

Mr. Payne suggested looking into extending or delaying the Spring brush and leaf collection.

Ms. Dupuis stated that this is something that can be brought in a different approach next year.

Ms. Whitman suggested putting something on website about having a Mini Mow May and raising mower decks but keeping the grass under 6”.

Ms. Robb suggested that Ms. Whitman, Ms. Dupuis and Mr. Erickson get together to discuss what to put up the website.

Mr. Trevino stated that this is premature for the Board to endorse for this year.

#### c. Asian Pacific American Heritage Month Proclamation (previously Item 8e5)

Board Chair Robb presented a Proclamation declaring May 2022 as Asian Pacific American Heritage Month.

Ms. Robb moved to approve the Asian Pacific American Heritage Month Proclamation. Seconded by Mr. Trevino, the motion passed 4-0.

#### **4. PUBLIC SAFETY**

##### **a. April 2022 Police Report**

Chief Jolley gave a brief overview of the April 2022 Police Report. The report includes the quarterly summary report on arrests by gender, race and ethnicity. This item is for information only. No Board action is required.

##### **b. Fireworks Legislation**

The Pennsylvania Municipal League (PML) has provided an update on [House Bill 2157](#) which has been passed out of Committee with bipartisan, unanimous support. The bill would clarify several aspects of the current law and includes changes aimed at curbing the illegal use of consumer fireworks.

Chief Jolley provided a brief overview of the bill. Staff believes the Bill addresses issues that have occurred locally and will make enforcement of illegal use of fireworks easier for the Police Department. This item is for information only. No Board action is required.

##### **c. Special Event Noise Waiver and Temporary Use Permit; Ashcraft American Historic Racing Motorcycle Association (ARHMA)**

The Noise Waiver and Temporary Use Permit were both approved by the Board for this event last two years (see 6/17/2020 and 4/28/2021 agenda/minutes.) The approved Noise Waiver was effective from 8 am to 9 pm. The Township received no noise complaints last year.

The sponsors, the Ashcraft family in the 3400/3500 blocks of Buffalo Run Road (SR 550), intend to hold the same event again this year and request approval from the Board.

The following items were included with the agenda:

- Location Map
- Request from Lisa Ashcraft
- Noise Waiver application

Ms. Whitman moved to approve the Noise Waiver on June 10-12 from 8am-9pm and Temporary Use Permit. Seconded by Mr. Trevino, the motion passed 4-0.

#### **5. PUBLIC WORKS OPERATIONS – no items**

#### **6. ENGINEERING, PLANNING, & ZONING**

##### **a. Planning Commission Report**

Mr. Prosek gave a brief overview on the activities of the Planning Commission.

There were no development plans or other items on the May Planning Commission agenda that required Board of Supervisors review or approval.

## 6. **ENGINEERING, PLANNING, & ZONING (Continued)**

### b. **Capital Improvement Plan Project PW-42: Valley Vista Drive Sidewalk from Carnegie to Sheetz**

The Board of Supervisors (Board) identified a Capital Improvement Project (CIP) (See attachment 6b.1) to complete construction of a sidewalk on Valley Vista Drive between Carnegie Drive and the Sheetz Convenience Store (Sheetz) that is located at the corner of Valley Vista Drive and North Atherton Street.

The existing walkable paths should be considered prior to undertaking this project. There are currently two paths connecting Galen Drive to Sheetz. They are illustrated in Attachment 6d.

The path shown in light blue is a 3-foot-wide stone gravel path connecting Galen Drive to Sheetz. It is currently not ADA accessible, but design and coordination with the property owner and Sheetz could be completed to bring it into ADA compliance.

The path shown in yellow is a 5-foot-wide concrete sidewalk along Galen Drive and North Atherton Street. Approximately 65 feet of the sidewalk along North Atherton Street has a grade steeper than a 5%, which is not ADA compliant. This sidewalk is not owned by Patton Township, so coordination would also need to occur with the property owner and Sheetz to bring this sidewalk into ADA compliance.

In the 2022 Patton Township Budget, there is \$30,000 budgeted in 2022 and \$60,000 budgeted in 2023 for the construction of a sidewalk on Valley Vista Drive.

The Board agreed directed staff to start a public input process and recommended that a survey be sent to residents between Valley Vista Drive and West Hillside Avenue and include Valley Vista Park to determine existing pedestrian needs in this area and if existing infrastructure is meeting the needs of the residents.

### c. **Centre County Draft Transportation Improvement Plan 2023 – 2026**

The Centre County Metropolitan Planning Organization (CCMPO) is made up of officials from municipal, county, state and federal governing bodies/agencies and is responsible for the planning and programming of improvements for all modes of transportation in the County. The Transportation Improvement Program (TIP) is a list of priority road, bridge and public transportation projects to be funded by federal and state capital dollars over the next four federal fiscal years (October-September).

*The Draft 2023-2026 TIP and Air Quality Conformity Report will be available for public review during a 30-day period beginning Friday, April 29, 2022 and concluding at 5:00 pm on Monday, May 30, 2022. The CCMPO's May 10, 2022 public meeting will be held from 6-7 PM in a hybrid format at the Centre Region COG Building. Participants may also attend virtually via Zoom. The TIP documents can be found online here: [www.crcog.net/2023TIP](http://www.crcog.net/2023TIP)*

The CCMPO Coordinating Committee will consider adopting the 2023-2026 TIP and Air Quality Conformity Determination Report at 6:00 PM on Tuesday, June 28, 2022.

This item is for information only. No Board action is required.

## 7. ADMINISTRATION

### a. Management of Single-Use Plastic Bags – Presented by Supervisor Betsy Whitman

Patton Township, Ferguson Township, and the borough of State College have been discussing the management of single-use plastics since 2018. In 2019 the students in Penn State Law's "Negotiation and Dispute Resolution Design" class, led by Professor Lara Fowler, worked with Ferguson Township to examine the likelihood that a ban on plastic bags and/or a fee structure would discourage use of single-use plastic bags. At the same time State College Borough worked with a Penn State undergraduate Community and Economic Development Class to survey local restaurants on the challenge of reducing the use of single-use plastic bags.

In 2019, just as Ferguson Township and the Borough of State College considered potential action through ordinances, the Pennsylvania Legislature issued a moratorium on such local ordinances. This moratorium expired in December 2021.

Ferguson Township and the State College Borough are again considering a local ordinance; Patton Township and potentially other local communities are seriously thinking about the management of single-use plastic bags. All agree that a regional approach will likely be more successful. All three municipalities plus the Penn State Sustainability Institute are partnering with Professor Lara Fowler and her students in her 2022 "Negotiation and Dispute Resolution Design Project" class.

The students in the "Negotiation and Dispute Resolution Design Project" class will:

1. Review existing studies on management of single-use plastic bags, and work already conducted in the Centre Region.
2. Update research conducted in 2019 on other communities, approaches to single-use plastic bags, including collecting sample ordinances where appropriate. Topics to research may include:
  - a. Bans, fees, voluntary measures
  - b. Program implementation, timing
  - c. Enforcement
3. Interviewing individuals and representatives of local businesses, local government, and other potential stakeholders across the Centre Region about their perspectives on single-use plastic bags, including potential impacts/charges associated with covid, enforcement, and other topics of interest to interviewees.
4. Compile information and share with participating communities.

The class plans to compile both the research and interviews into a summary available soon. An update from Professor Fowler was included with the agenda materials. (Item 7a.1)

Professor Fowler provided an overview of the student's findings so far.

Mr. Erickson suggested that Supervisor Whitman work with the other interested parties in the Region to prepare a specific recommendation that the Board could review at a future meeting.

This item is for information only. No Board action is required

**7. ADMINISTRATION (Continued)**

**b. Regional Solar Power Purchase Agreement Discussion**

Patton Township has been working with a large group of regional agencies and municipalities towards implementing a large-scale solar power project to provide a renewable power source. At this time the group is seeking input from the participating members to complete the Request for Proposals(RFP) for the project.

The agenda materials included a Guidance document (Item 7b.1) on the information needed for the RFP, an Overview of the Solar Power Purchase Agreement Working Group, and a summary of the each entities power usage for 2019.

Input is needed on the following questions:

1. Recognizing that each entity will have a different range, the project management team is considering a draft RFP that asks for pricing for 40% - 60% - 75% and 100% of the total electricity.
  - a. Does this align with where your organization would likely see its participation?
  - b. What is your expected minimum % of electricity purchased as solar through the SPPA?
  - c. What is your expected maximum % of electricity purchased as solar through the SPPA?
  - d. If available, please provide the expected amount of solar electricity from the PPA.
2. Does your organization have any other requirements that you want the Project Management Team to investigate with the consultant for their potential inclusion in the RFP?

Board agreed to discuss further at their next meeting.

**a. Diversity, Equity and Inclusion – Initial Discussion on Hiring Principles**

The Manager asks the Board members to review a draft policy outline intended to help move the Township toward a more diverse and inclusive work force. The following outline has been circulated among the Department Heads for review and comment:

<p>Draft Policy Outline: <b>Patton Township Hiring Principles</b></p> <ol style="list-style-type: none"><li>1. Review Job Descriptions, Application Forms, Hiring Processes and Employee Handbook to remove instances of bias (Department Heads, Manager, Board)</li><li>2. Recruit to encourage a broader candidate pool (Department Heads)</li><li>3. Define standards to create a pool of qualified candidates for open positions (Department Heads, Manager)</li><li>4. Select potential hires from the qualified pool that moves Township toward one or more of the following goals: (Department Heads)<ol style="list-style-type: none"><li>a. Creates workforce that more closely aligns with demographics of the Township population</li><li>b. Creates workforce with a high degree of professionalism</li><li>c. Creates workforce with a keen sense of duty to serve the residents, businesses, and visitors of Patton Township.</li></ol></li></ol>
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Ms. Whitman suggested having a more diverse interview panel and asking Terry Watson and Ben Jones for input.

## **7. ADMINISTRATION (Continued)**

### **c. Diversity, Equity and Inclusion – Initial Discussion on Hiring Principles (Continued)**

Mr. Trevino suggested having HR input from other municipalities.

Mr. Macgruder suggested getting input from Penn State.

Ms. Robb suggested contacting Dr. Nalini Krishnankutty.

### **d. Council of Governments: Discussion on Remote Attendance Policy**

The Executive Committee for the Centre Region Council of Governments (COG) is requesting feedback from the General Forum members regarding the current policy that permits widespread use of teleconferencing for meeting attendance. Please see Item 7d.1 for additional background information on this matter.

Specifically, “Members are asked to consider and provide feedback on “where we were, where we are now, and where we are going.” Members are also asked to provide feedback on the COG meeting process and what has gone well and what, if anything, can be improved upon.”

Additionally, “Boards/Councils are encouraged to broadly discuss this item at their municipal meetings and Executive Committee members will provide consensus feedback from their respective municipalities during the June 21, 2022, Executive Committee meeting to determine if any changes to the way COG currently conducts its meetings need to be considered.”

Mr. Trevino stated that there is more participation when doing zoom and having more flexibility to stay home if needed be.

Ms. Whitman suggested encouraging a minimum of in person attendances per year like 3 out of 12.

Mr. Magruder agrees with Mr. Trevino with no minimum.

Ms. Robb stated she likes the flexibility of keeping it virtual and asked Mr. Erickson to pass the information on to COG.

### **e. Centre Area Transportation Authority (CATA): Request for Comment on Draft Budget**

The CATA Board of Directors has published their [draft budget](#) (see Item 7e.2) for the next fiscal year (July 2022 to June 2023) for review and public comment. Local municipal officials are encouraged to submit comments by May 18<sup>th</sup> to the CATA Board for their consideration. (Please see request email – Item 7e.1)

At the April 13<sup>th</sup> meeting, the Board received a presentation regarding CATA’s proposed service changes for the fall, including microtransit in Park Forest and adjoining areas. At that time the Board came to a consensus that a 5% increase in local contributions to CATA was a reasonable approach pending the review of potential new local funding allocation methods to be taken up by a new ad hoc committee. The committee will be made up of municipal managers (or designees) and a PSU representative.

**7. ADMINISTRATION (Continued)**

- e. **Centre Area Transportation Authority (CATA): Request for Comment on Draft Budget** CATA has provided a draft funding resolution (see Item 7e.3) that includes the 5% increase in local contributions for their 2022/23 fiscal year.

Mr. Trevino moved to adopt the Funding Resolution for CATA contributions for their 2022/23 fiscal year. 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, & Zoning – no items**
- d. **Administration**

**1) Minutes April 27, 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.

**It is recommended that the Board approve the subject minutes.**

**2) Voucher Report**

A copy of the April 2022 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 above noted Voucher Report.**

**e. Proclamations**

**1) Emergency Medical Services Week, May 15 -21**

Mr. Magruder moved to approve the Proclamation – Emergency Medical Services Week, May 15-21. Seconded by Mr. Trevino, the motion passed 4-0.

**2) National Police Week in America, May 15 -21**

Mr. Trevino moved to approve the Proclamation – National Police Week in America, May 15-21. Seconded by Ms. Whitman, the motion passed 4-0.



## 8. CONSENT AGENDA (Continued)

### 3) National Public Works Week, May 15 -21

Ms. Whitman moved to approve the Proclamation – National Public Works Week, May 15-21.  
Seconded by Mr. Trevino, the motion passed 4-0.

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

## 9. MANAGER'S REPORT

Mr. Erickson reported on current matters, including:

- a. Correspondence (enclosed)
  - [1] Development Update
  - [2] Millbrook Marsh Grant Application Letter of Support (LOS)
  - [3] Household Hazardous Waste Collection report
  - [4] PFA update from Dept. of Environmental Protection (DEP)
  - [5] Commercial Electrical "Price to Compare" for June 2022
- b. Announcements
  - [1] Geisinger Energy Conservation Award (enclosed)
  - [2] Summer Trash Schedule – 6 am start Memorial Day to Labor Day
- c. Upcoming Events
  - [1] Township Office Schedule
    - May 30 – Memorial Day, Office Closed
    - July 4 – Independence Day, Office Closed
  - [2] May 9-13 [Bulk Waste Collection](#)
  - [3] May 17, Tuesday [Primary Election](#)
  - [4] Late June – New Township Website goes live!!

## 10. COMMITTEE REPORTS

Finance, April 14 – Trevino (report enclosed – 10a.1)  
Executive, April 19 – Robb (report enclosed – 10a.2)  
[Parks Governance](#), April 27 – Trevino  
[Facilities](#), May 3 – Whitman (report enclosed – 10a.4)  
[Human Resources](#), May 4 – Magruder (report enclosed – 10a.5)  
[Land Use & Comm. Infrastructure](#), May 5 – Abrams  
[Climate Action and Sustainability](#), May 9 – Whitman  
[Public Safety](#), May 10 – Robb

Future Meetings:

[Finance](#), May 12 – Trevino  
[Parks Capital](#), May 12 – Magruder  
Executive, May 18 – Robb  
Parks Governance, May 25 -- Trevino

**10. COMMITTEE REPORTS (Continued)**

- a. State College Borough Water Authority (3<sup>rd</sup> Thursday)
- b. Centre Area Cable Consortium, [as needed – Trevino \(did not meet\)](#)
- c. Spring Creek Watershed Commission, Jan 19 – Mason
- d. Centre County Metropolitan Planning Org. – Abrams, Robb Alt.
- e. [Centre County Airport Authority, \(4<sup>th</sup> Thursday\) – Downsborough \(report enclosed\)](#)
- f. [Solar Power Purchase Working Group – Whitman, Pegher Alt. \(April 27 report enclosed\)](#)

**11. OTHER BUSINESS**

There was no other business.

**12. ADJOURN**

Mr. Trevino moved to adjourn the May 11, 2022 Board of Supervisors Meeting at 8:50PM. Seconded by Ms. Whitman, the motion passed 4-0.

Douglas J. Erickson, Township Secretary