

ATTENDANCE:

BOARD Pam Robb, Chair
Elliot Abrams, Vice-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 (via tele-conference)
Lawrence Pegher, Finance Director (via tele-conference)
Ken Soder, Director of Public Works Ops (via tele-conference)
Betsy Dupuis, Solicitor (via tele-conference)
Susan Wheeler, Project Manager (via tele-conference)

AUDIENCE C-Net (1) Jim Payne, Resident (via tele-conference)
Chelsea Mali, Resident Jean Bouchard (via tele-conference)
Jean Sokolowski, Resident
Rod Khayat, Pickleball Player
Wayne Wall, Pickleball Player

1. CALL TO ORDER

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

a. Announcements

A moment of silence for the victims of the Robb Elementary School Shooting in Uvalde, Texas.

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

Mr. Khayat asked why pickleball at Green Hollow Park is time limited to 5pm when people who work would like to play pickleball after 5 pm. He stated based on the survey. Mr. Abrams suggested revisiting extending the hours for pickleball.

Mr. Wall asked for an update on the Bernel Road Park. Mr. Erickson stated that hoping to have the courts ready by Mid-July for pickleball play.

The Board agreed to revisit the hours at the June 15, 2022 meeting.

3. PRESENTATIONS / PUBLIC HEARINGS

a. Ghaner Drive Parklet Encroachment

In mid-April the Township received a letter concerning an encroachment unto Township Park property that lies behind the homes in the 200 block of Ghaner Drive (see Location Map -Item 3a.1). Township staff investigated and found an adjacent homeowner had placed a garden shed on the park property and created “home-made” recreational spaces for children. Staff then informed the homeowner, by letter, that all personal property must be removed from the public park property. A full chronology, as well as photos and other materials, is included with the agenda materials as Item 3a.2.

The homeowner who placed the materials on the park property has asked the Board (see Item 3a.3) to “reconsider requesting the removal of items and instead allow the children ... to continue to have their fun imaginary adventures in these woods know as part of the ‘parklet’.”

Due to issues of equity, safety and liability, staff continues to recommend that all personal property be removed from the public park as soon as possible.

As noted on the Timeline document (Item 3a.2 – May 18) the Township’s Insurance Agent advises removing the “improvements” and posting “Keep Out” signs as soon as practicable

As a compromise, the Manager suggests the following course of action:

- Direct the Recreation Advisory Committee to meet with the homeowner and other interested neighbors to review a range of options for this portion of the Ghaner Drive Parklet, from leaving as a natural area with no development to creating a plan for active play equipment.
- Based on this resident input provide a recommendation back to the Board of Supervisors.
- While the above is ongoing the Township should also:
 - If recommended by our liability insurance carrier and/or legal counsel, limit access to the area in question by posting large notices and/or installing fencing.
 - Engage an independent certified playground inspector to review the facilities placed/constructed by the homeowner and provide a recommendation on what, if any, changes would be required to make them safe for public use or if they should be removed.

Mr. Erickson noted the Board could choose an action from the following options:

- Permit the Homeowner to maintain their personal property on the public park property (Ms. Mali’s request)
- Instruct Homeowner to remove their personal property from the public park property within ____ days (Staff recommendation)
- Instruct Township staff to remove the personal property from the public park property within ____ days. (Insurance agent recommendation)
- Begin an interactive process with neighborhood residents and install signs and fence around the personal property on the public park property until deemed safe and appropriate by the Township or removed. (Manager’s compromise position)

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

a. Ghaner Drive Parklet Encroachment (Continued)

Ms. Mali stated that none of this was done maliciously and that during Covid when no one went anywhere they started cleaning the woods which ended up resulting in this "path". She stated that she is not opposed to working together and feel she is being singled out.

Ms. Robb stated she likes the idea of working together.

Mr. Trevino stated he has mixed feelings. He knows why it has come about but it worried about it being an attractive nuisance.

Ms. Dupuis stated that the insurance carrier has advised staff that when you have an organized park you have protection provided by your insurance company, but unsafe and unauthorized improvements may not be covered under insurance and can be an attractive nuisance. She suggested that area should have limited access until it can be looked at for safe use.

Ms. Whitman suggested meeting with RAC to discuss further.

Mr. Magruder suggested preserving what can be preserved and improving the area in some manner but look at liability issues.

Ms. Mali stated that she is concerned about the signs and tape.

Mr. Erickson recommended asking the insurance agent and solicitor for wording on the signage. He also suggested that Ms. Mali speak to her own homeowner's insurance company.

Ms. Sokolowski stated that an area behind her house is owned by the Township that needs to be cleaned up. Mr. Erickson stated that would be something she will need to speak to Ms. Castrechini about.

By consensus, the Board referred the matter to the Direct the Recreation Advisory Committee to meet with the homeowner and other interested neighbors to review a range of options for this portion of the Ghaner Drive Parklet, from leaving as a natural area with no development to creating a plan for active play equipment. Based on this resident input provide a recommendation back to the Board of Supervisors. While the above is ongoing the Township will also:

- Limit access to the area in question by posting notices
- Engage an independent certified playground inspector to review the facilities placed/constructed by the homeowner and provide a recommendation on what, if any, changes would be required to make them safe for public use or if they should be removed.

Mr. Erickson also noted that staff will check for encroachments of other properties that abut Township properties and will inspect the climbing wall for damage.

4. PUBLIC SAFETY – no items

5. PUBLIC WORKS OPERATIONS – no items

6. ENGINEERING, PLANNING & ZONING (EPZ)

a. Fees for Zoning Hearing Board Appeals

Fees for filing appeals with the Zoning Hearing Board (ZHB) have not been increase since 2010. In lieu of increasing fees in general, the EPZ staff are asking the Board to consider a different approach.

The Patton Township ZHB typically hears one to three appeals per year on matters that are generally of minor consequence outside the property in question. The expenses related to a ZHB case include charges for legal advertising, the ZHB Solicitor's fees, reproduction costs for hearing materials and staff time for the Zoning Officer (ZO) and Public Works Secretary. Depending on the nature of the case the Township Manager and/or Director of EPZ may also attend the hearing itself. The Solicitor's fees will run from \$1000 to \$3000 per hearing depending on the complexity of the matter.

Traditionally, the Township has generously subsidized most the of the costs for these hearings, only charging \$360 to the applicant for a Zoning or Sign Variance hearing. See attached Item 6a.1 from Township Fee Schedule.

EZP staff recommends the Township consider an approach more in line with neighboring townships who require a larger up-front deposit that covers most costs and then refunds the unused amount back to the applicant, such as (see Item 6a.2 also for additional detail):

- Halfmoon Township - \$2,500 deposit with refund of unused money
- Ferguson Township - \$500 for Appeals and Special Exceptions
\$300 for Variances
- College Township - \$100 application fee and \$500 deposit

Ms. Whitman asked how long money would be held. Ms. Castrechini stated about a month.

Mr. Abrams moved to having a deposit then refunding any unused funds. Seconded by Mr. Trevino, the motion passed 5-0.

Mr. Trevino moved to set the deposit to \$1,500. Seconded by Mr. Abrams, the motion passed 5-0.

a. Stormwater Education Presentation

The Township's system of stormwater collection systems and detention basins is regulated by the Pennsylvania Department of Environmental Protection (DEP) in accordance with the federal Clean Water Act. Additionally, the Township is required to comply with the multi-state Chesapeake Bay Compact to reduce pollutants flowing to the bay.

Ms. Castrechini provided a presentation on the stormwater permitting program as an element of our requirements for public outreach and public education.

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

7. **ADMINISTRATION**

a. **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. Please see the [May 11th Board agenda](#) for additional background information on this matter.

The agenda materials included a guidance memo from the Township's Director of Finance and Administration (Item 7a.1) and the presentation slides from the May 11th meeting (Item 7a.2).

The Director of Finance and Administration did follow-up with the State College Area School District who have approved a range of 60% to 85% to be included in the RFP. The School Directors identified the risks of being tied to a long term (20-25 years) fixed price contract that may be "out-performed" by the general market or new technology, as reasons to stay under a 100% commitment.

Mr. Pegher recommends that Patton Township include a 50% to 90% range of participation in the RFP.

Mr. Magruder asked about solar panels on the township building. Mr. Pegher stated he will meet with Mr. Erickson to get that information.

Mr. Trevino moved to include a 50% to 90% range of participation in the RFP and provide other information to the group as recommended by Mr. Pegher. Seconded by Mr. Abrams, the motion passed 5-0.

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 May 11, 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.

- e. **Proclamations – no items**

Mr. Trevino moved to approve the Consent Agenda. Seconded by Mr. Abrams, the motion passed 5-0.

9. MANAGER'S REPORT

Mr. Erickson reported on current matters, including:

- a. Correspondence (enclosed)
 - [1] Recycling Works Fact Sheet (Dept. of Environmental Protection)
 - [2] PSATS 2022 Legislative Priorities
- b. Announcements
 - [1] Food Waste Drop-Off Pilot Program
 - [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] Late June – New Township Website goes live!!

10. COMMITTEE REPORTS

[Finance](#), May 12 – Trevino – report attached -Item 10a.1

[Parks Capital](#), May 12 – Magruder

[Executive](#), May 18 – Robb

Parks Governance, May 25 – Trevino

[Climate Action & Sustainability](#), April 11 – Whitman

[Public Safety](#), May 10 - Robb

[Parks Capital](#), May 12 – Magruder

Spring Creek Watershed Commission, May 18 – Mason, Alt

[Solar Power Purchase Working Group](#), May 25 – agenda link included

Future Meetings:

- Human Resources, June 6 – Magruder
- Land Use and Comm. Infrastructure, June 12 – Abrams
- Facilities, June 7 – Whitman
- Finance, June 9 – Trevino
- Climate Action & Sustainability, June 13 – Whitman
- Public Safety, June 14 – Robb
- Executive, June 21 – Robb
- Parks Governance, Jun3 22 - Trevino

- a. State College Borough Water Authority, April 21 (3rd Thursday) – report enclosed
- b. Centre Area Cable Consortium, [as needed – Trevino \(did not meet\)](#)
- c. Spring Creek Watershed Commission, May 18 – Mason
- d. Centre County Metropolitan Planning Org. – June 28, Abrams, Robb Alt.
- e. [Centre County Airport Authority, \(4th Thursday\)](#)
- f. [Solar Power Purchase Working Group, May 25 – Whitman, Pegher Alt.](#)

11. OTHER BUSINESS

There were no other business.

12. ADJOURN

Mr. Abrams moved to adjourn the May 25, 2022 Board of Supervisors Meeting at 7:15PM. Seconded by Ms. Whitman, the motion passed 5-0.

Douglas J. Erickson, Township Secretary