

Meeting Agenda
State College Borough Transportation Commission
Regular Meeting
January 8, 2019
12:15 p.m. / Room 304

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes**
- IV. Public Hour**
- V. Discussion Items**
 - A. Request for a Work Session
 - B. Work Plan Approval
 - C. Review of Ordinance Creating Commission and Future Topics
 - D. 2019 Conflict of Interest Policy and Code of Conduct
- VI. Liaison Reports**
- VII. Upcoming Meeting(s)**
- VIII. Adjournment**

Documents:

[Complete TC Agenda 01082019.pdf](#)

**Meeting Agenda
State College Borough Transportation Commission
January 8, 2019
Room 304 / 12:15 p.m.**

I. Call to Order

II. Roll Call

Ray Najjar, Chairman
Richard Garis, Vice-Chairman
Rick Gilmore
Mieke Haeck
Paul Jovanis
Diana Malcom
Hugh Mose

III. Approval of Minutes – December 11, 2018 [Pages 3-6]

IV. Public Hour – Hearing of Citizens

V. Discussion Items

A. Request for a Work Session

This Commission does not have the provision to have ‘work sessions’ as formal action on recommendations can be made at all regular meetings.

B. Work Plan Approval

The 2019 work plans from the various Authorities, Boards, and Commissions, including the Transportation Commission, are scheduled for approval by Borough Council at their January 14, 2019 meeting. The work plan is attached for reference [Page 7]. Please recall that the budget adopted by Council can impact tasks in the work plan if they are not funded.

C. Review of Ordinance Creating Commission and Future Topics

The ordinance creating the Transportation Commission references the Transportation Policy adopted by Borough Council. Both the ordinance and the policy are attached for reference to see how the work plan coincides with these [Pages 8-9]. As the Commission discussed topics of concern, these documents provide guidance on the Commission’s purview which can be helpful in seeing how this Commission interfaces with other Borough entities and for reference when creating future work plans. This can also be helpful in reviewing future topics of concern to the Commission. Staff has received a list of suggested topics from one member and is developing a list of topics

for consideration and discussion at future meetings. Please forward your topics to the Chair and staff so staff can compile, organize, and present the list with status comments as appropriate for consideration and prioritization.

D. 2019 Conflict of Interest Policy and Code of Conduct

On April 18, 2005, Borough Council adopted a “Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs”. Elected and appointed officials are to receive a copy of the policy at a regular meeting of their respective council, authority or board of commission. A copy of the policy is attached for your review [Pages 10-15].

VI. Upcoming 2019 Meetings:

February 12	March 12	April 9
May 14	June 11	July 16
August 13	September 10	October 8
November 5	December 10	

VII. Liaison Reports

- A. MPO/CRPA/COG Transportation [Page 16] Tom Zilla/Trish Meek
- B. Centre Area Transportation Authority Jackie Sheader
- C. Penn State Transportation Rob DeMayo
- D. PennDOT Albert Carlson
- E. Borough Planning Commission Ed LeClear/Anne Messner
- F. Borough Engineer Amy Kerner
- G. Sustainability Coordinator Alan Sam
- H. Parking Office Rick Ward
- I. State College Police Lt. Barrett Smith

VIII. Adjournment

**Meeting Minutes
State College Borough Transportation Commission
December 11, 2018**

The State College Borough Transportation Commission (TC) met on Tuesday, December 11, 2018 in Room 304 of the Municipal Building. Vice-Chairman Richard Garis called the meeting to order at 12:15 p.m.

Members Present

Richard Garis, Vice-Chairman; Rick Gilmore; Mieke Haeck; Paul Jovanis; Diana Malcom; and Hugh Mose

Members Absent

Raymond Najjar, Chairman

Others Present

Deborah Hoag, Director of Public Works; Amy Kerner, Borough Engineer; Anne Messner, Planner/Zoning Officer; Jenna Wargo, Planner; Alan Sam, Arborist and Environmental Coordinator; Lt. Barrett Smith, State College Police; Albert Carlson, PennDOT; Jackie Sheader, CATA Public Relations Manager; Trish Meek, MPO, CRPA; Robert DeMayo, Penn State University Transportation; and Denise Dobo, Administrative Assistant

Approval of Minutes

Mr. Gilmore motioned to approve the meeting minutes from November 6, 2018. Paul Jovanis seconded the motion, which was unanimously approved.

Public Hour – Hearing of Citizens

There was no one that spoke during the public hour.

Discussion Items

Proposed 2019 Budget and Impact on Work Plan

Ms. Hoag explained the proposed 2019 operating budget did not include the proposed Traffic Signals and Intersection Safety project for 2019 which had not been performed since 2010. She noted many intersections had been revised to improve the overall safety and new buildings had been constructed with traffic mitigation requirements since 2010. She noted the Borough had upgraded traffic signs to current standards and PennDOT had performed design and construction on state highways which incorporate safety measures in the design as well.

Mr. Jovanis said TC assumes the various measures performed previously have made a positive safety impact and explained the study from the Traffic Signal and Intersection Safety project would show the effectiveness of those improvements. Mr. Jovanis asked the study to be given a higher priority next year. He went on explaining after the investments were made, a similar study should be performed to determine new locations and how effective the sites previously completed were.

Ms. Hoag noted those concerns were the reason the study was included as part of the original Capital Improvements Plan. She remarked the study would reassess what had been completed and address changes made in traffic patterns due to new construction.

Mr. Mose asked what was included and what was the expected outcome of the parking study. Ms. Hoag explained the study looked at public and private parking as well as garages and the commuter zone parking. The study would examine where parking would be located, what would be available, and would it be sufficient. Mr. Mose expressed that his hope was TC would be involved with how parking currently works and how parking could be improved. The consensus regarding TC involvement was agreed upon by the Commission.

PennDOT Response to Requests for Speed Limit Reductions

A request was made to PennDOT to evaluate Park Avenue from Shortlidge Road to North Atherton and Atherton Street from Prospect Avenue to Branch Road for speed limit reductions from 35 MPH to 25 MPH. The Borough received separate letters from PennDOT stating the speed studies conducted did not indicate a speed limit reduction was justified. For Park Avenue, PennDOT stated they would place a speed display board in the area during the spring of 2019. For Atherton Street, PennDOT stated the next section of Atherton Street construction was currently in design and the design, PennDOT plans to address pedestrian facilities and relocate some existing CATA bus stops to make this section safer for all modes of transportation.

Mr. Jovanis inquired which factors were used in the study and Ms. Hoag replied the 85th percentile speed of traffic and crash data. Mr. Carlson added the determining factors of speed studies involve operating radar, crash data, and geometric review of intersections and corridors. Mr. Mose noted more crashes would also be a factor for reducing the speed limit.

Atherton Street Update

PennDOT recently provided an update of the construction status for the current section of Atherton Street with important dates for 2019 and gave an update on the status of the next section. Construction of Park Avenue to the Parkway would be slated for completion in 2020.

Mike Shigley, Borough resident, questioned PennDOT's plans to keep traffic flowing on the Atherton Street Project and noted concerns regarding the heavy traffic between Park and Beaver Avenue.

Mr. Gilmore made an inquiry regarding the communication of construction plans from PennDOT to the public and Ms. Meek noted that distribution lists from PennDOT included emergency providers, the media, and communication specialists from State College Borough and Ferguson Township. Mr. Gilmore suggested PennDOT issue a press release easier for the public to understand.

New Business

Possible Work Sessions

Mr. Jovanis discussed the feasibility and legality of work sessions for TC. Ms. Hoag noted there would not be anything prohibiting a work session and at this time, Borough Council (BC) was the only entity that formally scheduled work sessions. Mr. Mose suggested a work session be scheduled and noted he believed TC could provide valuable input and guidance to Borough

Council, Planning Commission and Borough staff. Mr. Garis suggested getting approval to allow TC to schedule work sessions. Ms. Hoag made note those meetings would need to be advertised.

Mr. Mose made a motion to request a work session in early 2019. Mr. Gilmore seconded the motion, which was unanimously approved.

Parking Study Update

Mr. Mose requested an update on the parking study looking at the loss of parking due to construction east of Garner Street. Ms. Hoag stated Rick Ward, Parking Director, could address this matter and she would request a written update for TC.

Mr. Garis remarked the change in parking in the Highlands was originally set to begin in January 2019 and asked why the change was delayed until March 2019. Ms. Hoag replied this was a matter for the Parking Department.

Liaison Reports

MPO/CRPA/COG Transportation – Ms. Meek noted they are continuing to have meetings with municipalities to gather information for an update on the long-range transportation plan for Centre County.

Centre Area Transportation Authority (CATA) – Ms. Sheader remarked there would be reduced service for the holidays and no service on Christmas or New Year's. Ms. Sheader also noted CATA would be running a special service on New Year's Eve. She mentioned some routes had minor time changes due to construction

Mr. Mose noted a decline in ridership nationally and asked if CATA had implemented measures to curtail it. Ms. Sheader said they had noticed decreases in late night travel and believe Uber and Lyft could be the reason. Ms. Sheader noted CATA would be offering ridership promotions as well.

Penn State Transportation – Mr. DeMayo noted students would be leaving this week and would begin to arrive back January 5.

PennDOT – No report given.

Borough Planning Commission – Ms. Messner stated land development plans were reviewed for Our Lady of Victory Church expanding their cafeteria area and Hello Bistro renovations. Planning Commission received a request from State College Area School District requesting an amendment to the lighting ordinance for an allowance for taller light installations at the track located at their South Building.

Borough Engineer – Ms. Kerner noted projects were completed for the year. Ms. Kerner added the project for next year would be resurfacing Oneida Street. Mr. Garis mentioned the completed project on Easterly Parkway was very nice and in particular the rain garden. Ms. Kerner also mentioned there was a concern regarding the transition at Williams Street.

Sustainability Coordinator – Mr. Sam explained some of the older bike racks would be receiving a powder coating due to damage. Testing would be done to determine if this works for the bike racks in the downtown along with street furniture. Mr. Mose asked if anything was being done for scooter traffic in the Borough, Mr. Sam noted there were no current plans in place for scooter

traffic. Lt. Smith added scooters were not legal on sidewalks and Pennsylvania law does not address this matter well.

Parking Office – No report given.

State College Police – Lt. Smith noted the police have been using the 511 app which gave good information of traffic stoppages such as Atherton Street.

Adjournment

There being no further business, Vice-Chairman Garis adjourned the meeting at 12:54 p.m.

STATE COLLEGE TRANSPORTATION COMMISSION WORK PROGRAM FOR 2019

Approved by Transportation Commission on :

November 6, 2018

Approved by Borough Council on :

Key: I= Initiate Discussion, IP= In Progress,

C=Complete, R/C=Review and / or Comment,

BC=Refer to Council

Transportation Matters Referred by Council									
		Priority	Council Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	Staff
1	2020-2024 Capital Improvement Program	H	1, 3, 5, 6	I	R/C	R/C			Hoag
2	2020 Operating Budget	H	2, 3, 5, 6				R/C		Hoag
Pedestrian and Traffic Safety Issues									
		Priority	Council Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	Staff
3	Evaluate the need and identify locations for potential traffic signals, center islands, or other pedestrian safety improvements that may be implemented with PENNDOT's proposed improvements to Atherton Street - section 153	H	1, 3, 5, 6				I	Timing dependent upon PennDOT	Kerner
4	Work with Penn State and evaluate potential to expand bike share program into the Borough	M	3,5	I	R/C			Penn State is seeing success while program in its infancy	Hoag & Sam
5	Fraser Centre TIS traffic mitigation plan implementation	M	1,3,5		I	IP		Developer funded with installation required by 12/31/2020	Kerner
6	Review and update the Vehicle and Traffic Ordinance	M	1,5,6	IP & R/C	BC				Kerner
7	Work with the DID, planning commission, businesses and adjacent property owners to evaluate the feasibility of closing the 100 block of Allen Street to vehicular traffic on a periodic basis	L	1, 3, 5, 6	IP			R/C	Review Downtown Master Plan and transportation priorities	Sam
8	Evaluate need for and make recommendation for pedestrian/bike connector along University Drive between Foster Avenue and Hastings Road	L	1, 5	I			R/C	Awaiting projects by others due to PennDOT Highway	Sam
Parking Strategies, Alternative Transportation and TDM									
		Priority	Council Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	Staff
9	Evaluate Commuter Zone, Residential Zone , and other on-street parking non-metered parking, as well as fees and fines, and recommend changes	H	1, 5, 6	IP	BC				Ward
10	Prepare and evaluate information related to a 2019 parking study: Areas of concern are long term strategies for the replacement of off-street parking, Long term parking meters and their usage, and an update of the 2015 study as it relates to parking supply and demand.	H	1, 5, 6	IP	BC			Placed in 2019 budget	Ward
11	Evaluate the need and make a recommendation for a shared use path along Blue Course Drive between Whitehall Road and Orchard Park bike path.	L	1, 3, 5	IP				Project included in CIP but deferred until funding in place.	Kerner & Sam
Transportation Policy Issues									
		Priority	Council Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	Staff
12	Develop work plan and priorities for transportation items within the Downtown Master Plan (vehicular movement, safety, pedestrian amenities, bicycle facilities, on-street parking, delivery vehicles, transit facilities and taxi stands)	H	1, 3, 5, 6	IP			Ongoing	Review Downtown Master Plan and transportation priorities	Sam & Kerner
Street Classification System and Policy									
		Priority	Council Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	Staff
13	Evaluate results from annual neighborhood traffic counts and speed data. Make recommendations for traffic volume or speed mitigation.	M	1, 5		I	R/C			Kerner

Section 922. Transportation Commission.

a. Commission Established. There is hereby established a “Transportation Commission” (hereinafter cited as Commission), having 7 members who shall be residents of the Borough of State College.

b. Terms of Office of Members; Vacancies. Commission members shall be appointed by Council and, initially, 3 members shall be appointed for terms of 2 years and 4 for terms of 4 years; thereafter, their successors shall be appointed for terms of 4 years. Vacancies that occur for reasons other than the expiration of terms shall be filled for the unexpired term.

c. Officers; Organization; Rules and Regulations. Commission members so appointed shall elect their own Chairman and Vice-Chairman and organize in such manner as they shall see fit and shall operate under such rules and regulations as they may adopt.

Staff liaison shall be provided by the Director of Public Works. The Borough Engineer and Planning Director may be called upon as appropriate.

d. Powers and Duties of the Commission. The Commission’s duties shall include the following:

- (1) To recommend strategies for the implementation of relevant portions of the Transportation Policy adopted and prioritized by Council.
- (2) To conduct surveys and recommend studies of pedestrian and traffic safety matters as self-initiated or referred to it be Council, Borough staff, or the public.
- (3) To review, at least biannually, and to recommend changes to the Street Classification System and Policy, and to ascertain whether the effects of development and/or change of use of streets determine a need for reclassification or mitigation as required and triggered by the Policy.
- (4) To address neighborhood pedestrian and traffic mitigation issues, especially as requested by the Planning Commission or by citizen groups.
- (5) To review external transportation studies or propose additional studies and make recommendations to Council.
- (6) To discuss and recommend programs to Council that encourage and accommodate the use of alternative transportation and transportation demand management.
- (7) To comment and make recommendations on any transportation matters referred to it by Council.
- (8) To make recommendations to Council concerning parking strategies, including facilities and rates for both on- and off-street parking.

e. Advisory Capacity. The Commission shall act in an advisory capacity, and no action taken by said Commission shall be binding upon the municipality until action thereon shall have been taken by Council approving same.

(Ordinance 1659, May 22, 2001, Section 3, repealed, amended, and reinstated through Ordinance 1753, August 11, 2003, Sections 2 through 6.)⁶⁷⁵

Transportation Policy Borough of State College

Adopted by the State College Borough Council on February 20, 2001

Vision:

The transportation system of the Borough of State College is planned, operated and maintained to support residential neighborhoods that are good places to live; a downtown that is diverse, lively and economically viable; and an overall community that is accessible, safe, clean, and attractive.

The Transportation Policy:

The Premise

- Supports and encourages alternatives to the single occupant automobile (pedestrian, bicycle, transit, and carpool, as well as transportation demand management strategies).
- Accepts that the private auto is, and will continue to be, the transportation mode of choice for most residents of the Centre Region.

Traffic Management

- Gives highest priority to the safety of pedestrians, the protection of neighborhood streets, and the smooth flow of traffic onto the campus and into the downtown.
- Fosters the use of environmentally sustainable and economical means of transport to reduce traffic congestion and parking demand, as well as the speed and volume of traffic on neighborhood streets.
- Encourages bicycling by providing safe, connected, and well-maintained bike paths in the downtown and throughout the Borough.
- Minimizes the environmental aspects of transportation (noise, air and water pollution, consumption of land, traffic congestion) that impact quality of life in the Borough.
- Supports diverting through traffic routes from downtown streets.
- Provides for traffic mitigation solutions when traffic levels on neighborhood streets exceed their classification limits.

Relationship Issues

- Requires a partnerships approach (with surrounding municipalities, neighborhood associations, the downtown business community, Penn State and PaDOT) to addressing traffic and parking issues.
- Recognizes that land use decisions, within the Borough and in outlying municipalities, directly impact the viability of the Borough's transportation system.
- Acknowledges that transportation issues, in the downtown and elsewhere in the Borough, should be addressed cooperatively with the Pennsylvania State University, whenever possible.
- Recognizes that transportation issues must be viewed holistically as comprising automobile issues, pedestrian issues, alternative transportation issues and planning issues.
- Ensures that downtown parking fairly balances the amount sought by the business community, pricing conducive to a healthy downtown, the necessity of being economically self-supporting, the impact of associated traffic, and the application of sound principles of urban design.

Borough of State College MEMORANDUM

to: All Borough Employees

from: Ed LeClear, Director of Planning and Community Development

re: Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs

date: November 15, 2018

A Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs was adopted by the State College Borough Council in 2005 and updated by Borough Council as recently as 2017. This attached policy will be distributed to Borough employees annually.

Please review the policy.

If you have questions or comments, please contact me at 234-7109.

BOROUGH OF STATE COLLEGE

Conflict of Interest Policy and Code of Conduct With Regard to HUD Programs

SECTION 1 NON-PROCUREMENT CONFLICTS OF INTEREST

A. COVERED INDIVIDUALS:

Any employee, agent, officer, elected official, appointed official or consultant of the Borough of State College (Participating Jurisdiction) or; any member of an employee's, agent's, officer's, elected official's or appointed official's immediate family; an employee's, agent's, officer's, elected official's or appointed official's partner; or an organization that employs or is about to employ any of the above.

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 1 of section 1 who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME Investment Partnerships Program (HOME) or Community Development Block Grant (CDBG) or other U.S. Department of Housing and Urban Development (HUD) funds, or who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a real or apparent financial interest or financial benefit from a HOME, CDBG, or other HUD-assisted activity, or has a real or apparent financial interest in any contract, subcontract, or agreement with respect to HOME, CDBG, or other HUD-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild and in-laws of a covered person. Occupancy of a HOME-assisted unit by a covered person constitutes a financial interest.

EXCEPTIONS:

Threshold Requirements – Upon the written request of the participating jurisdiction, the U.S. Housing and Urban Development (HUD) or its successor, may grant an exception to the provisions of the CONFLICTS PROHIBITED of section 1 on a case-by-case basis when it determines that the exception will serve to further the purpose of the HOME, CDBG or other HUD program and the effective and efficient administration of the Borough's program or project. An exception may be considered only after the participating jurisdiction has provided the following:

1. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure* of the conflict and a description of how the public disclosure was made; and
2. An opinion from the Borough's attorney that the interest for which the exception is sought would not violate state or local laws.

*The requirements for public disclosure include publication in a local newspaper or disclosure during an advertised public hearing.

Factors to be considered for Exceptions – In determining whether to grant a requested exception after the participating jurisdiction has satisfactorily met the requirements of paragraphs a. and b. above, HUD, or its successors, will consider the cumulative affect of the following factors, where applicable:

1. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
2. Whether the person affected is a member of a group or class of low-income persons intended to be the beneficiary of the assisted activity, and the exception will permit such person(s) to receive generally the same interests or benefits as are being made available or provided to the group or class;
3. Whether the affected person(s) has withdrawn from his/her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question;
4. Whether the interest or benefit was present before the affected person was in a position as described in the COVERED PERSONS Paragraph of this section
5. Whether undue hardship will result either to the participating jurisdiction or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
6. Any other relevant considerations.

B. OWNERS AND DEVELOPERS:

Any owner, developer or sponsor of a project assisted with HOME, CDBG or other HUD funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community development organization (CHDO) when acting as an owner, developer or sponsor)

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 2.A of section 2 may occupy, or appear to occupy, a HOME, CDBG or other HUD-assisted affordable housing unit in a project during the required period of affordability specified in §92.252(e) or §92.254(a)(4). This provision does not apply to an individual who receives HOME, CDBG or other HUD funds to acquire or rehabilitate his or her principal residence or to an employee or agent to the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

EXCEPTIONS:

Upon written request of a housing owner or developer, the Borough may grant an exception to the provisions of the above paragraph of this section on a case by case basis when it determines that the exception will serve to further the purposes of the HOME, CDBG or other HUD program and the effective and efficient administration of the owner's or developer's HOME, CDBG or other HUD-assisted project. In determining whether to grant a requested exception, the Borough shall consider the following factors:

1. Whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of the assisted housing, and the

- exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class:
2. Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;
 3. Whether the tenant protection requirements of Sec. 92.253 are being observed;
 4. Whether the affirmative marketing requirements of Sec. 92.351 are being observed and followed; and
 5. Any other factor relevant to the Borough's determination, including the timing of the requested exception.

SECTION 2 PROCUREMENT CONFLICT OF INTEREST

COVERED INDIVIDUALS:

Any employee, officer, or agent of the Borough of State College (Participating Jurisdiction).

CONFLICTS PROHIBITED:

The CDBG, HOME and other HUD Programs follow the procurement policy of the Borough of State College located in the Borough of State College Code of Ordinances, Chapter 1, Part N. If any provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 are not included or conflict with the Borough's Procurement Policy, the provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 shall supersede the Borough's Procurement Policy.

No Covered Individuals in section 2 may participate in the selection, award or administration of a contract supported by HOME, CDBG or other HUD Program if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for award:

- employee, agents, or officer of the Borough of State College;
- any member of an employee's, agent's or officer's immediate family;
- an employee's, agent's or officer's partner; or
- an organization that employs or is about to employ any of the above

No employee, officer, or agent of the Borough or subrecipient may solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to subagreements.

EXCEPTIONS:

There are no exceptions for real or apparent procurement conflicts of interest.

A request for a regulatory waiver can be submitted pursuant to 24 C.F.R. § 5.110

Upon determination of good cause, the Secretary may, subject to statutory limitations, waive any provision of this title and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)).

SECTION 3 CODE OF CONDUCT:

Persons covered in section 2, paragraph 1, are expressly forbidden from soliciting or accepting money, gifts, gratuities, services, favors, or anything of monetary value (excepting unsolicited calendars, pens, or other items of nominal value used as an advertising medium) from any person, company, firm, or corporation to which any purchase order or contract is, or might, be awarded or from a party to any potential subcontract.

The Borough shall also take disciplinary action in accordance with the Borough Personnel Rules and Regulations against any covered persons in section 2 paragraph 1 who violate this conflict of interest policy.

Employees will receive a copy of the conflict of interest policy on an annual basis as a mailer included in a paycheck. Elected and appointed officials will receive a copy of the policy at a regular meeting of their respective council, authority, board or commission. Distribution of the policy will be noted in the minutes of the meeting. Members who are absent will receive a copy by mail. Consultants and agents will be provided a copy of the policy as part of their contracts.

SECTION 4 SUB-RECIPIENTS:

Applicable Conflict of Interest and Procurement Policies for the Borough's subrecipients are covered under CFR 200.318, 24 CFR 570.611 and 24 CFR 92.356. Each subrecipient has developed its own Conflict of Interest Policy and Procurement Policy in accordance with the applicable regulations.

Authorized Official: Ed LeClear, Director of Planning and Community Development
243 S. Allen Street
State College, PA 16801
814-234-7109

Summary of Revisions:

Adopted by the State College Borough Council on April 18, 2005.

Revised by staff on April 30, 2015.

Revised policy adopted by the State College Borough Council on November 6, 2017.

Borough of State College
MEMORANDUM

to: All Borough Employees

from: Ed LeClear, Director of Planning and Community Development

re: Drug-Free Workplace Requirements for the Community Development Block Grant and HOME Programs

date: November 15, 2018

The State College Borough Community Development Department is mandated by the Department of Housing and Urban Development to notify all employees who are engaged in the performance of the Community Development Block Grant program and the HOME program of the status of drugs in the workplace.

It is unlawful to manufacture, distribute, dispense, possess or use a controlled substance in the workplace. Any employee who does manufacture, distribute, dispense, possess or use a controlled substance in the workplace shall be prosecuted under all applicable State and Federal laws, and shall face appropriate personnel action, up to and including termination; or the employee shall participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.

Employees must notify the Borough in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. The State College Community Development Department is required to notify HUD, within ten calendar days after receiving notice from an employee or otherwise receiving actual notice of a conviction.

State College Borough has in place an Employee Assistance Plan designed to deal with drug and alcohol problems in the employee population. The telephone number for the Employee Assistance Plan is 1-800-252-4555; the website is www.theEAP.com.

If you have any questions or comments, please contact me at 234-7109.



Is my e-Bike legal in Pennsylvania?

The short answer is yes, Electric Assist Bicycles (e-Bikes) are legal and welcome in the Commonwealth of Pennsylvania. By reducing barriers to bicycling, e-bikes can encourage people to take bike trips and to ride longer than on regular bikes. Because they're easier to ride, they're ideal for older adults and people with physical limitations. However, they cannot be operated by persons under 16 years of age. To operate on public roadways in Pennsylvania, an e-Bike must meet these criteria as adopted in PA Act 154 of 2014:

- **Weigh less than 100 pounds**
- **Be equipped with two or three wheels at least 11 inches in diameter, as well as operable pedals**
- **Be powered by an electric motor system rated at not more than 750 watts**
- **Be capable of speeds not more than 20 miles per hour on a level surface when powered by the motor source only**

Moreover, e-Bikes:

- Do not require a certificate of inspection or insurance
- Are afforded all of the rights and responsibilities of other bicycles under PA law
- Are allowed to operate on the Centre Region's Shared Use Paths

For more information about bicycling in the Centre Region, please contact Trish Meek at the Centre Regional Planning Agency or visit www.crcog.net/bikes