

Meeting Minutes
State College Borough Council
September 17, 2007

The State College Borough Council met in a regular meeting on Monday, September 17, 2007, in the State College Municipal Building Council Chambers, 243 South Allen Street, State College, PA. Mr. Welch called the meeting to order at 7:30 p.m.

Present: Bill Welch, Mayor
Catherine G. Dauler, President of Council
Thomas E. Daubert
Ronald L. Filippelli
Elizabeth A. Goreham
Donald M. Hahn
Craig R. Humphrey
Jeffrey R. Kern

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Carl R. Hess, Director of Planning/Community Development; Mark A. Whitfield, Director of Public Works; Alan Sam, Borough Arborist; Amy J. Story, Borough Engineer; Ed Holmes, Facility Coordinator; Thomas R. King, Chief of Police; Michael S. Groff, Finance Director; Beth Johnston, Director of Human Resources; Linda Welker, Tax Administrator; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested observers.

Mr. Welch began with a moment of silence and the Pledge of Allegiance.

PUBLIC HOUR

Off-Campus Student Union (OCSU). Doreen Strauss, President of Off Campus Student Union, was present to introduce herself to Council and provide an overview of the goals of the OCSU. Ms. Strauss explained the history of the organization and what services the organization would like to provide. She highlighted the holiday lights tour to be held over the holidays, the downtown tours scheduled for October, and the information available on their website, specifically noting the News in Brief. Ms. Strauss stated the main goal of the group was to keep the 18,000 students living off-campus connected. Mr. Daubert asked the organization provide a list of officers with e-mails to the Borough Manager to provide contact information. Mr. Filippelli asked who was the university advisor to OSCU and Ms. Strauss replied that it was Loretta Doss, the head of the Off Campus Living Office. Mr. Hahn expressed his appreciation for the officers of the OCSU coming to this meeting and acting a liaison between the students and the community.

Bob Rightmyer, 785 Walnut Spring Lane, said he received a letter from the Director of Public Works responding to many of his concerns. He noted that he had been waiting 11 years for sidewalks in his neighborhood. The developer should have installed the sidewalks at the time of development. Mr. Welch indicated that staff would respond to his concern.

PUBLIC HEARINGS

2008-2012 Capital Improvement Program. Mr. Fountaine noted that Council received the 2008-2012 Capital Improvement Program at their meeting of August 20, 2007. The Capital Improvement Program has been available to the public for review in the Administration office of the State College Municipal Building, Schlow Centre Region Library, as well as the Borough's website. Approval of the plan is scheduled for the regular meeting of October 1.

Mr. Welch asked for public comments.

Mr. Rightmyer asked the following questions about the Capital Improvement Plan:

- How will expenditures for projects and equipment under \$10,000 be dealt with? Is there a public review?
- How is new equipment paid for when new equipment costs more than the depreciated amount?
- How much modification from 2006 budget to actual expenditures?
- How does the 2008 proposed CIP meet requests?
- Why is the \$188,000 of asset replacement funds not shown in the budget?
- Why create a construction crew when construction costs have dropped in the last few months? Was a cost analysis completed?
- Why are we spending \$793,000 more in 2007 than we are taking in and reducing the fund balance?
- Why is Walnut Springs Lane not listed in ST - - 2 for Street Resurfacing?
- Why is Thompson Woods Subdivision referenced in the CIP when it is in College Township?
- Is SW081 another wetland project?

Mr. Welch noted that given the number of questions, staff would respond to his questions through conventional mail.

Mr. Welch asked if there were any other comments from the public. There was none and Mr. Welch closed the public hearing.

Consent Items. Mr. Hahn moved to approve the minutes of August 6, August 13, and August 20, with the following corrections:

- On Page 294 of the August 13 minutes, 4th paragraph, the first sentence should start with "Mr. Hahn asked that the goals be"
- On Page 297 of the August 20 minutes, 9th paragraph, the sentence should read, "Mr. Hahn said he previously expressed concerns about costs but believes reducing fossil fuel consumption is important to the country."

Ms. Dauler seconded the motion, which passed with a 7-0-0 vote.

Mr. Hahn moved and Mr. Kern seconded a motion to approve the following consent items. The motion passed unanimously.

- Vouchers for the month of August 2007 in the amount of \$2,453,819.23.
- Use of the 100 block of South Allen Street for the Tree Lighting Ceremony on Thursday, November 15, 2007, from 3:00 to 9:00 p.m.
- Use of the 200 block of South Allen Street and Foster Avenue for the Fall Festival sponsored by the Downtown State College Improvement District on Saturday, October 20, 2007, from 5:00 a.m. to 7:00 p.m.
- Use of various sidewalks in College Heights for the Farm Sanctuary Walk scheduled for Sunday, October 28, 2007, from 1:00 p.m. to 4:00 p.m.
- Use of various streets in the Greentree subdivision and the Orchard Park bike path for the Knights of Columbus 5K Race to be held on Sunday, October 14, 2007, from 2:00 to 3:00 p.m.
- Accept a resignation, with regret, from Eric Snyder from the Transportation Commission, effectively immediately.
- As recommended by the State College Area School Board, appoint Donna Ricketts to the Centre Region Parks and Recreation Board to fill an unexpired term, ending on December 31, 2011.
- Appoint the following individuals to vacancies on various ABCs:

| Name | ABC | Term to Expire |
|----------------|-----------------------------------|-----------------------|
| Kenneth Blythe | CDBG Citizens' Advisory Committee | December 31, 2008 |
| Ann Bolser | Planning Commission | December 31, 2007 |
| David Hill | Transportation Commission | December 31, 2007 |

GENERAL POLICY AND ADMINISTRATION

Receive the Minimum Municipal Obligation for the Borough's Pension Plans in 2008.

Mr. Fountaine noted that Act 205 of 1984 (as amended by Act 189 of 1990) requires that a budget for the Borough's minimum pension obligations for the upcoming year be submitted to Council prior to September 30 of each year. This budget is based on actuarial costs of the pension plan, obtained from the Borough's actuary, and an estimated payroll figure, which is developed by staff. Next year's pension cost has been calculated to be \$1,195,200, which includes \$455,884 for the Police Pension Plan and \$739,316 for the General Government Plan. In recent years approximately 70 percent of the Borough's obligation has been funded by the state aid provided through Act 205. The Borough appropriation for 2008 will be budgeted based on the actual amount of state aid to be received in early October.

Ms. Dauler moved to receive the municipal obligation for 2008. Mr. Hahn seconded the motion, which passed with a 7-0-0 vote.

2008 Earned Income Tax Rules and Regulations. Mr. Fontaine said that Borough staff has worked jointly with the State College Area School District and the Centre Region Tax Collectors to prepare the 2008 Earned Income and Net Profits Tax Rules and Regulations and to promulgate the 2008 Rules and Regulations. State law requires the Tax Collector to promulgate rules and regulations with approval by the governing body. This year no amendments are needed to the 2007 Rules and Regulations since there were no significant legislative changes or litigation that impacted the administration of the Earned Income and Net Profits Tax.

Mr. Filippelli moved to adopt Resolution 945 approving the 2008 Earned Income Tax rules and regulations. Ms. Dauler seconded the motion. The motion passed unanimously in favor.

Amendment to Land Exchange Agreement between the Borough and Jeramar Enterprises, LLC. Mr. Fontaine reminded Council that the Borough and Jeramar Enterprises entered into a land exchange agreement on August 2, 2005 to facilitate the development of the Allen Street Parking Lot by the Borough and a mixed use development project by Jeramar Enterprises on the property to the north of the parking lot. The agreement provided for the exchange of property to square up the lots and granted an easement for use by Jeramar to construct an extension of the plaza constructed by the Borough in front of the Allen Street Parking Lot. Since the Land Exchange Agreement was approved in 2005, the development plan for the Jeramar property has changed and it is necessary to amend the land exchange agreement between Jeramar Enterprises, LLC and the Borough of State College. The Solicitor has prepared a draft agreement for Council's approval, he concluded.

Mr. Humphrey moved to approve the agreement and authorize the President of Council to sign the agreement on behalf of the Borough of State College. Ms. Dauler seconded the motion. The motion was approved with a 7-0-0 vote in favor.

Grant Application for Holmes Foster Master Plan. Mr. Fountained noted that a resolution was needed approving a grant application and authorizing the Council President to sign an agreement with the Pennsylvania Department of Conservation and Natural Resources to apply for funding from the Community Conservation Partnerships Program. The funds will be used to hire a consultant to complete an official Master Plan for Holmes Foster Park. Funding for the grant would include a match by the Borough of \$15,000 which has been requested in the 2008 Capital Improvement Program (PK083).

Mr. Hahn moved to approve Resolution 946 to apply for the grant. Ms. Dauler seconded the motion, which passed unanimously.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mr. Welch announced that he attended the Lady Lions soccer game against Texas A&M where he proclaimed September to be youth soccer month in Happy Valley.

President's Report. Ms. Dauler announced an executive session held following the meeting of September 10 to discuss personnel matters.

Regional Liaison Reports. Mr. Daubert reported the ad hoc Code Revision Committee and the COG Code Committee had completed their work and would be place the proposed changes on the next Centre Region Council of Governments General Forum agenda for recommendation for approval by the participating municipalities. Mr. Fountaine noted that Borough staff would be including changes to the property maintenance code as part of the recommended changes.

There being no further business, the regular meeting adjourned at 8:03 p.m. Council then took a brief recess and reconvened in a work session.

Work Session

Ms. Dauler called the work session to order at 8:17 p.m.

2008-2012 Capital Improvement Plan. The only item for discussion at the work session was the proposed 2008-2012 Capital Improvement Plan. Mr. Whitfield made a brief presentation explaining the highlights and new projects for streets, storm water, buildings & parks, and enterprise funds.

Mr. Humphrey asked about the streetscape plan for the Beaver/Allen intersection. Mr. Whitfield explained it would need to come before Council. He noted that it was scheduled for Council review at the work session of September 21. Dan Jones, the landscape architect for the Schlow Centre Region Library, would make the presentation. He noted the only participation from the Borough was in the street lighting.

Ms. Goreham about street lighting and who was responsible for the light once it was in place. Mr. Whitfield said it would depend on the location of the light. The Borough was trying to take over the responsibility of the lights. Currently, all of the street lights in the downtown are the responsibility of the Borough, he noted.

Mr. Daubert asked about the widening of the sidewalks in the downtown. He said he remembered from the past that it would be cost restrictive. Mr. Whitfield said they were looking to install a more porous surface that would require less of a water runoff system; this would require less of the street to be torn up.

Mr. Daubert noted that parking was proposed to be removed from Pugh Street to allow for a turning lane at the intersection of Pugh Street and Beaver Avenue. He did not believe it was necessary to remove the parking. Mr. Fountaine said that there is a stacking problem at that intersection, particularly with traffic entering and existing the garage; creating a turning lane could address the problem. Council discussed whether the parking would need to be removed along the entire length of the block. Mr. Holmes noted that an engineering study would be completed that would determine the configuration needed.

Council discussed the funding for the construction crew. Mr. Fountaine noted the proposal is to include reduced capital funding in the general fund. A total of \$190,000 would be transferred from Capital Improvements to the operating budget to account for the additional three additional employees needed. Mr. Filippelli asked if a cost analysis had been done. Mr. Whitfield explained the construction would be a total of five employees (three additional

combined with two of the existing staff) that would be able to complete limited construction projects. The funding for this would come from various enterprise funds. He noted that this was not considered in the past because there was not a year-round work schedule; however, now with the sewer management, there would be a crew that would be available in the winter months. Mr. Filippelli questioned whether this would be less expensive. Mr. Whitfield said that it was comparable. Although there would be no real cost savings, it would allow the Borough more flexibility in carrying out the work. Mr. Kern noted a construction crew may offer flexibility in terms of timing, but not do so in terms of skill. Larger construction companies would be able to draw from a larger labor base for the necessary skills for each job. Mr. Whitfield noted that the jobs proposed would not require specific skills that were not available with the existing crew members.

Mr. Daubert suggested that the multi-space meters (ST121 On-Street Computer Parking) should be removed. He did not believe this would work in State College but would be better suited for larger cities like Philadelphia or Pittsburgh. Council members asked several questions about the cost analysis for this project. Mr. Fontaine noted the project was proposed for 2012 and cost analysis for projects that far in the future were not in depth studies. Mr. Hahn asked if the multi-space meters would accept credit cards and dollar bills. Mr. Whitfield replied that they would. Mr. Hahn added that staff may want to complete a comprehensive review of the commuter parking system. It may be time to consider rolling back the commuter parking since there are more spaces available in the garages.

Ms. Goreham reminded staff that dark sky issues were important in considering the corridor street lighting (ST111). Mr. Whitfield noted that this project would address particular areas within where there are problems. Ms. Goreham encouraged staff to consider environmental lighting issues when working with this project.

Ms. Goreham encouraged the sinkhole storm water tracing be done sooner than 2009. Mr. Whitfield said he would like to do so but believed it would take a year to get the partnership together.

Mr. Filippelli said the intersection safety improvements (ST093) should be moved forward. There were relatively inexpensive projects that were very important for the safety of pedestrian and cyclists. Since a high percentage of people walk to work in State College as compared to other cities in a nation-wide survey, the Borough needed to be aggressive in regards to pedestrian safety and right-of-ways. He said he believed taking these types of measures would make the Borough a more attractive place to live, especially for those neighborhoods close to the downtown. Mr. Kern agreed that pedestrian safety issues should be moved forward. It was very difficult to walk across some streets because of the traffic. He said the Borough is special and there were many different measures that could be taken to make it safer for pedestrians, such as raised crosswalks. When asked about painting large strips across the road in crosswalks, Mr. Whitfield explained there was a PennDOT process that needed to be followed for crosswalk designations on the roadway. Mr. Fontaine said that, overall, it appeared that Council wanted to have the intersection safety improvement program moved up in priority. He noted that if this was pushed to 2008, he asked Council to consider which project or projects should be pushed back.

Mr. Filippelli suggested experimenting with neighborhood signage reminding people that this is a quiet residential area. He said some students may respond. He added that there

are quality of life issues that need to be addressed in the neighborhoods and this could be one way of dealing with the problem of noise. Mr. Fontaine said it would be possible but may not necessarily be a Capital project. He suggested a line item in the operating budget be set aside for quality of life issues where funds could be used for just such a project.

Mr. Daubert asked why the security cameras for the municipal building needed to be replaced when the building was not that old. Mr. Fontaine replied that the cameras were poor quality and do not provide what is needed in terms of security.

Mr. Daubert also commented on the removal of the dog park from the Holmes Foster Master Plan. Mr. Fontaine explained it was included in the plan as part of the planning process but may not necessary be a part of the overall project once it is full developed. Mr. Daubert said he would like to have it removed.

There being no further discussion, the meeting adjourned at 9:12 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary