

**Meeting Minutes**  
**State College Borough Council**  
**Work Session**  
**December 7, 2007**

The State College Borough Council met in a work session on Friday, December 7, 2007, in the State College Municipal Building, Room 304, 243 South Allen Street, State College, PA. Ms. Dauler called the meeting to order at 12:07 p.m.

Present: 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: Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Borough Manager for Community Services; Carl R. Hess, Planning Director; Amy R. Miller, Recording Secretary; Beth Johnston, Human Resource Director; Roger Dunlap, Assistant Borough Manager for Budget and Administration; Michael Groff, Finance Director; Norma Crater, Accounting Supervisor; Mark Whitfield, Public Works Director; Amy Story, Borough Engineer; Alan Sam, Borough Arborist; Ed Holmes, Facilities Manager; Eric Brooks, Operations Manager; Art Caccavale, Parking Manager; Karen Martin, Parking Office Manager; Mark Henry, Health Officer; members of the media; and other interested observers.

**Public hour.** Penn State student James Coder of 478 E. Beaver Avenue addressed Council on a privately issued parking ticket he received upon returning to his vehicle that was parked in a private parking lot. Mr. Coder said when he checked into who issued the ticket, Parking Management and Enforcements, he determined the company name was a fictitious name for Walk's Towing. The ticket demands payment of \$15 within 48 hours of receipt of ticketing. Mr. Coder asked for clarification of the regulations for private parking tickets in the Borough's Code of Ordinances.

Mr. Fountaine said at this time he could not answer at this time regarding private property owners issuing parking tickets. However, he said he would look into the issue and get back to Mr. Coder with an answer early next week

**Amendments to the Administrative Code.** Mr. Fountaine said on November 2 Council received recommended changes to the Administrative Code, Chapter I of the Code of Borough Ordinances, which establishes the structure and administration of the Borough. Part H. of the Administrative Code establishes the Municipal Departments; Part J. establishes the Personnel System. He added that the changes, which are needed to bring the code up to date based on previously approved and implemented changes, include the following:

- Reorganization and Consolidation of Departments
- Revision of several department head titles
- Change of the Personnel Officer to Human Resources Director
- Recognition of Assistant Managers
- Update of the residency requirement for department heads
- Addition of a statement of ethical standards for employees

Mr. Fountaine asked Council to identify any additional changes needed to the proposed ordinance or organizational chart before the ordinance is placed on a regular meeting agenda for formal consideration.

Council agreed the renaming of the Health Department to the Department of Ordinance Enforcement and Public Health was positive given the possibility of incorporating the rental housing program in the future.

With regard to residency requirements, Council members decided to leave the current ordinance language unchanged. However, Ms. Goreham said she favors requiring Borough residency but allowing five years to comply. She added that she would pursue this item at a later time.

Mr. Fountaine said the next issue for discussion was gender neutrality. He reminded Council that the Home Rule Charter was not gender neutral and any changes would require a vote from residents. Mr. Kern suggested adding a preamble to the ordinance to make a blanket statement to revise the ordinance to show gender neutrality. He added that any new language should be gender neutral.

Next, Council requested changing the word "inimical" used in the Department of Neighborhood Services be changed to "harmful".

Lastly, Council agreed that the wording for the functions of the Human Resource Department should be "recruitment and recommending the selection" of employees rather than "recruitment and selecting" employees to recognize that the manager makes the selection of employees.

**2008 Borough Operating Budget.** Mr. Whitfield began with an overview of the Public Works' Department organization, personnel and new programs and services proposed in the 2008 operating budget. He said that if refuse rates were not increased, money would be taken from the reserves. Mr. Whitfield noted that the Borough sold out of compost this year for a \$50,000 yield.

Council questioned if the position of Sustainable Programs Coordinator would pay for itself at the end of the year and if the projected savings were factored in to the operating budget. Mr. Whitfield said after reviewing figures from the past five years, the position is projected to be a cost saving position; but the savings would be seen in three to four years in the future. Mr. Fountaine noted that it is assumed that the position will pay for itself from the years to follow although the cost savings were not factored in to the budget.

Council then asked what type of professional qualifications is required for the position. Mr. Whitfield replied that the person would be a civil or environmental engineer who could work well educating the public and getting people on board with the project. He added that a \$50,000 salary is budgeted for the position which is based upon comparable positions in other municipalities.

Mr. Hahn questioned where the cost savings would appear from the three person construction crew. Mr. Whitfield said the construction crew savings would be seen in the street and highway aid, sanitary sewer and street maintenance budgets.

Mr. Daubert asked why employee benefits for the Street crew increased 70 percent. Mr. Whitfield said the increase was due to the increase of employees. Mr. Daubert requested the figures at a later date because benefits should not increase 70 percent with hiring only three new employees.

Mr. Filippelli asked why residential refuse rates increased more than commercial refuse rates. Mr. Whitfield said residential collection is more labor intensive which makes the cost higher.

Mr. Caccavale next presented an overview of the Parking budget. Ms. Goreham asked why there was no projection for commercial space rentals. Mr. Caccavale said the commercial rentals were not handled by him, but rather by the Facilities Manager, Ed Holmes.

Mr. Hahn said that McAllister parking deck is underutilized and suggested increasing commercial rates and implementing dedicated spaces at premium prices. Mr. Caccavale said use of McAllister parking deck has increased. Mr. Kern disagreed with Mr. Hahn and said with suburban office complexes offering parking for free, more downtown businesses are relocating. He added that costs should be kept lower to keep the businesses downtown.

The Health Department budget overview was then presented by Mark Henry.

Mr. Kern questioned the costs for restaurant and bar inspections and asked if fees could be raised to better reflect the Borough's costs. He also asked if fees could be based on square footage or a burner-basis, or income level of the establishment. Mr. Henry said currently the fees are based on the number of seats in an establishment. Mr. Fountaine said there is no maximum fee set by state law, but if an inspection costs a certain amount, the Borough cannot charge double the amount. He added that the inspection process was restructured a few years ago based on the number of customers a restaurant serves.

Mr. Kern then questioned the funds received from other municipalities for restaurant inspections. Mr. Fountaine said the Borough receives more than \$25,000 but the amount is not seen clearly on the revenue side. Mr. Fountaine said Staff could provide restaurant inspection figures to Council for their review by next week, but asked Council to keep in mind that the two Health staff members do not perform restaurant inspections exclusively; they also perform ordinance enforcement. Mr. Filippelli said the amount coming from the three other townships is too low.

Ms. Goreham asked if an establishment fails an inspection, does the Health staff charge for re-inspections. Mr. Henry said currently staff does not charge for re-inspections for critical violations, but additional fess should be considered for numerous re-inspections.

Mr. Kern requested all costs for personnel, administrative time and cost per square foot of inspections on paper to verify if the Borough is losing money with the restaurant inspections.

There being no further business, the meeting adjourned to an executive session at 1:38 pm to discuss personnel and real estate.

Respectfully submitted by:

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Cynthia S. Hanscom  
Assistant Borough Secretary