

**Meeting Minutes**  
**State College Borough Council**  
**September 15, 2008**

The State College Borough Council met on Monday, September 15, 2008, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Mayor Welch called the meeting to order at 7:30 pm.

Present: Elizabeth A. Goreham, President of Council  
Ronald L. Filippelli  
Donald M. Hahn  
Theresa D. Lafer  
Peter Morris  
Silvi Lawrence  
James L. Rosenberger  
Absent: Bill Welch, Mayor

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Thomas S. Kurtz, Assistant Manager for Community Services; Roger A. Dunlap, Assistant Manager for Budget and Administration; Carl R. Hess, Planning Director; Thomas King, Chief of Police; Mark A. Whitfield, Director of Public Works; Amy Story, Borough Engineer; Beth Johnston, Director of Human Resources; Linda Welker, Tax Administrator; Michael S. Groff, Finance Director; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested observers.

The meeting began with a moment of silence and the Pledge of Allegiance.

**PUBLIC HOUR – HEARING OF CITIZENS**

Perry Babb, member of the Community Partnership Against Dangerous Drinking, noted that Senate Bill 151 was coming up for second consideration before the Senate and third consideration before the House of Representatives. The bill addressed increasing fines set 36 years ago for alcohol related offenses. He asked for Council support of this bill as one form of reducing dangerous alcohol-related behavior.

Jane Liszka, 610 N. Burrowes Street, spoke on Council's consideration of allowing chickens in residential areas. Ms. Liszka noted that this change would alter the complexion of the neighborhoods and she and 22 of her neighbors were voicing their opposition.

Bob Rightmyer, Walnut Spring Lane, spoke on the voucher approval and asked Council if they reviewed the voucher report every month and were aware of where the money was being spent. Council noted that the full voucher report was received and reviewed every month.

**Consent Items.** Mr. Hahn moved and Mr. Rosenberger seconded a motion to approve the following consent items. The motion passed unanimously.

- Vouchers for the Borough of State College for the month of August in the amount of \$3,139,510.56.
- Use of East Irvin Avenue, between first alley east of Pugh Street and Berry Alley, for a block party on Sunday, September 21, 2008, from 4:30 p.m. to 7:30 p.m., with a rain date of Sunday, September 28, 2008.
- Use of Fraternity Row and sidewalks in the Highlands Neighborhood for a 5K race on Sunday, October 19, 2008, from 10:00 a.m. to 1:00 p.m.
- Award a bid for Project 6-2008 Sanitary Sewer Rehabilitation to Insituform Technologies, Inc., the low bidder, for a total amount of \$195,805.00.

## GENERAL POLICY & ADMINISTRATION

**2009-2013 Capital Improvement Program.** Council discussed the 2009-2013 Capital Improvement Program. From previous meetings held on August 11, 18, September 8 and 12 and the public hearing on September 8, the following footnotes have been added to the Program documents:

- Sinkhole Storm Water Tracing (Deferred-SW091): Council desires to have Staff collaborate with other municipalities in the Centre Region and develop a regional approach to implementing this project. The Borough, along with the regional partners, will also pursue available grant opportunities to fund the project.
- West End Revitalization (OP053): the Borough will not initiate action on work tasks identified in 2009 without Council's authorization.
- Allen/Atherton Traffic Signal Improvement (ST022): the Allen/Atherton project, including correction of the safety defect, is programmed in 2009. Staff is recommending that the project be included in the Capital Improvement Program as submitted.

Mr. Hahn moved and Mr. Filippelli seconded a motion to approve the Capital Improvement Plan with the following changes:

- Reduce the Streets portion by \$250,000 for the Allen/Atherton Intersection Improvements to reduce the project to replacement of the light fixtures only
- Reduce future debt by \$292,000 from the West End Infrastructure Improvements.

This would alter the Capital Improvement Plan as follows:

<b>2009 PROGRAM REVENUES</b>	
In-Lieu Payment – PSU	\$497,000
General Fund	503,000
Interest Earnings	100,000
Prior Authority	1,301,625
Designated Reserve	320,000
Asset Replacement	200,000
Future Debt Proceeds	150,000
Grant Funds	2,048,677
Other Contributions	106,550
Enterprise Funds	698,268
<b>TOTAL</b>	<b>\$5,925,120</b>

<b>2009 PROGRAM EXPENDITURES</b>	
Streets	\$2,689,813
Storm Water	0
Buildings and Parks	980,575
Information Technology	97,000
Regional and Other Projects	822,500
Enterprise Funds	934,107
<b>TOTAL</b>	<b>\$5,523,995</b>

Mr. Filippelli moved to amend the motion to remove the reduction of the Allen/Atherton Intersection from the main motion. Ms. Lafer seconded the motion. The vote on the amendment was 2-5-0, with Mr. Morris, Ms. Lawrence, Ms. Goreham, and Mr. Rosenberger opposed; the motion failed.

Council then voted on the main motion to approve the 2009-2013 Capital Improvement Plan with the changes noted. The vote was 5-2-0, with Ms. Lafer and Mr. Filippelli opposed; the motion passed.

**Debt Policy.** Council continued discussion of the proposed Debt Policy.

Ms. Lafer moved to approve the policy. Mr. Rosenberger seconded the motion.

Council noted payments being made to regional loans were not included in the ten percent limit. Staff explained the Borough does not issue debt for regional projects and the Borough's share of the payment is included in the general fund.

Council discussed adding the COG debt as part of the policy.

Mr. Rightmyer suggested Council delay approval of the debt policy because it was unclear on the actual debt limits in relation to COG.

Ms. Lawrence moved to amend the motion to change the policy to provide an informational subsection on the financial obligation through COG that included a statement such as “in following this debt policy that the Borough be cognizant of the debt assumed as part of our COG obligations.” Mr. Rosenberger seconded the motion. The motion passed unanimously.

Council then voted on the amended motion to approve the debt policy. The motion passed unanimously.

Staff advised Council that they would bring amended language for COG debt back to Council in October for final approval of the policy.

**Minimum Municipal Obligation for the Borough’s Pension Plans in 2009.** Mr. Rosenberger moved to receive the Minimum Municipal Obligation for Borough pension plans for 2009. Ms. Lafer seconded the motion, which passed unanimously.

Mr. Morris noted a minor typographic correction to the calculation of the 2009 Minimum Municipal Obligation in that there were 10 points provided rather than 9.

**2009 Earned Income Tax Rules and Regulations.** Council received the draft 2009 Earned Income and Net Profits Tax Rules and Regulations.

Ms. Lafer moved and Mr. Rosenberger seconded a motion to approve Resolution 972 to approve the rules and regulations. The motion passed with a 7-0-0 vote.

**Towing Ordinance Amendments.** The Borough received a written request from the licensed towing companies to amend the Public/Private Towing ordinance to increase license fees and towing fees.

Mr. Hahn moved to receive the request and discuss the proposed ordinance. Ms. Lafer seconded the motion. The motion passed unanimously.

Council raised questions on the basis for the fees. Staff explained the fees were based on several factors that compared the fees from other municipalities as well as the costs for the towing company.

Council members agreed that this ordinance should be considered for adoption at the October 6 meeting.

There being no further business, the meeting adjourned at 8:55 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary