

Meeting Minutes
State College Borough Council
February 2, 2009

The State College Borough Council met on Monday, February 2, 2009, 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 p.m.

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

Also present: Terry J. Williams, Borough Solicitor; Thomas S. Kurtz, Assistant Manager for Community Development; Roger A. Dunlap, Assistant Manager for Budget and Administration; Carl R. Hess, Planning Director; Mark A. Whitfield, Director of Public Works; Thomas R. King, Chief of Police; Michael S. Groff, Finance Director; Beth Johnston, Director of Human Resources; 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

There was no one from the public wishing to speak.

CONSENT ITEMS

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

- o Resolution 985 for the destruction of obsolete records in the Finance and Administration departments.

Council also considered the 2009-2010 Legislative Issues as reviewed and amended by Council. Mr. Filippelli moved and Mr. Rosenberger seconded a motion to approve the 2009-2010 Legislative Issues. The motion passed unanimously.

GENERAL POLICY AND ADMINISTRATION

Pension Amendments. Council considered amendments to the Police and the General Government Pension ordinances to reflect current Pennsylvania State Pension laws as well as applicable provisions of the Internal Revenue Code. The benefit provisions of the pension plans remain unchanged. David Killick with Conrad Seigel, the Borough's pension actuary, was in attendance to address any Council questions. Council raised several questions regarding the definition of spouse and use of the definition from the Federal Defense of Marriage Act (DOMA), which lists a spouse as a person of opposite sex who is legally married. Mr. Killick explained the pension plans are qualified plans and benefits are not taxable until the recipient receives the benefits. The plans must follow the Internal Revenue Service (IRS) provisions from the federal government. One provision is that the definition be included in plan documents. Council asked if the language could be eliminated and Mr. Killick indicated the plan would not be considered a qualified plan.

Mr. Kurtz recommended that the revision to the pension plans be allowed to proceed and nothing done that would endanger the plans' status with the IRS. Council could later have a separate discussion of how to encompass same-sex partners in the provisions of the documents. Mr. Welch suggested the

Human Relations Commission be charged with looking how the plan can be changed to include same-sex partners.

Mr. Hahn moved to receive the proposed amendments and schedule enactment for February 9. Ms. Goreham seconded the motion. The motion passed with a 7-0-0 vote.

Land Purchase. Council considered an agreement with JTJ Partnership for the purchase of 2.7 acres adjacent to the Municipal Service Facility at 320 Osmond Street (the former Sheesley Concrete site) in Ferguson Township for \$325,000.00. Funds in excess of the agreed upon purchase price were part of the 2005 general obligation bond and may only be used for the maintenance facility.

Council asked about the status of environmental issues with the site. Staff indicated that Phase I and Phase II of environmental review had been completed for the property.

Ms. Lafer moved to approve the agreement and authorize the President of Council sign on behalf of the Borough. Mr. Hahn seconded the motion, which passed with a 7-0-0 vote.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Mr. Welch saluted the recent win by the Pittsburgh Steelers in the 43rd Super Bowl. He also noted that he had viewed the downtown from 3rd floor of Hammond Building on campus and suggested that other do so to get a sense of the how the Borough is growing and how the downtown is truly the heart of a city.

President's Report. Ms. Goreham announced an executive session held following the regular meeting and before the work session to discuss real estate and personnel matters.

Ms. Goreham also read a citation, issued from the Commonwealth of Pennsylvania House of Representatives, sponsored by Representative H. Scott Conklin, congratulating State College for being listed as the second safest city with the CQ Press, a national research firm.

Council recessed to an executive session to and reconvened to a work session at 8:30 p.m.

REGIONAL ISSUES

Changes to the UPD in College Township. Council discussed proposed changes to the University Planned District in College Township. The principal purpose of the proposed changes is to accommodate an expansion of the Mt. Nittany Medical Center and the expansion of the medical services available at that location. Council reviewed recommendations on comments to forward to the College Township Council as prepared by staff. Borough Council commended the proposal for including incentives for developers to provide green buildings and addressing environmental concerns because any development could impact the entire region. Also, Council asked that College Township consider including a requirement for affordable workforce housing in any housing development that is proposed.

COG Pay Plan. Council discussed the COG compensation plan in order to provide recommendations to the Borough's representative on the COG Personnel Committee. It was noted that the plan includes a policy that consumer price index (CPI) rates be used for considering cost of living increases each year. Council agreed the CPI should be used but there should be exceptions to allow for changes in hard economic times.

GENERAL POLICY AND ADMINISTRATION

Act 315 State Certified Health Department. Staff provided an update on their study of establishing a state certified health department. Staff was instructed to go forward with their study of establishing a certified department but cautioned against expanding services and costs that may need to be absorbed through local tax dollars.

There being no further business, the meeting adjourned at 9:55 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary