

**Meeting Minutes**  
**State College Borough Council**  
**April 6, 2009**

The State College Borough Council met on Monday, April 6, 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  
Donald M. Hahn  
Theresa D. Lafer  
Silvi Lawrence  
Peter Morris  
James L. Rosenberger  
Absent Ronald L. Filippelli

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Roger A. Dunlap, Assistant Manager for Budget and Administration; Thomas S. Kurtz, Assistant Manager for Community Services; Michael S. Groff, Finance Director; Carl R. Hess, Planning Director; Anne Messner, Planning Technician; Mark A. Whitfield, Director of Public Works; Thomas R. King, Chief of Police; Amy Story, Borough Engineer; 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 – HEARING OF CITIZENS**

Mr. Welch presented a proclamation naming April as Organ and Tissue Donor Awareness Month. Irine White accepted the proclamation and presented Mr. Welch with a t-shirt and pin.

Mr. Welch presented a proclamation to Dave Abler, President of PAWS, naming April 12-18 as Responsible Pet Ownership Week.

Serena Lewis, Greek Week Community Relations Overall Chair, and Kimberly Aubrey, Greek Week 2009 Overall Chair, spoke on Greek Week activities scheduled in the community from April 13 through April 19.

Helen Haugh, owner of 126 East Nittany Avenue, requested the Borough pave Birch Alley behind her property. She noted that a portion of the alley was vacated many years ago, but the portion behind her property was never vacated. She said she had talked with Borough staff who indicated that Birch Alley was not an ordained alley. She said that she believed it would have to be ordained in order to have been vacated. Also, the Borough had paved the alley many years ago but the pavement was crumbling. Mr. Welch said that Council would have staff look into her request.

Whitney Stack, a student at Penn State, distributed a proposed resolution for Council's consideration on buying American-made products and services as part of the federal economic renewal grants. Mr. Welch noted that the Borough was obligated to award bids to the lowest bidder. In addition, there were steel products laws within the State that already require the purchase of American-made steel. Council agreed to consider the resolution at a future work session.

**PUBLIC HEARINGS**

**Zoning Amendment: Riparian Buffer Ordinance.** Council held a public hearing on a zoning amendment to add a native planting list to the riparian buffer zone. No one spoke on the matter.

Mr. Hahn moved to publish Council's intent to enact the ordinance on April 20. Ms. Lawrence seconded the motion. The motion passed with a 6-0-0 vote.

**Consolidated Plan Amendment.** Council held a public hearing on an amendment to the 2009 Consolidated Plan due to a reduction in the scope of the College Avenue/Pugh Street Streetlight project.

There were no comments from the public.

Mr. Hahn moved to direct staff to schedule approval of the amendment for the April 20 Council meeting. Mr. Morris seconded the motion, which passed with a 6-0-0 vote.

**North/South Bikeway: Remove Parking on South Sparks Street.** Council held a public hearing to take comments on a proposal to establish a north-south bike route on South Sparks Street.

Father John Reed, Holy Trinity Orthodox Church, 119 S. Sparks Street, said the church had no opposition to the proposal since there would be no change in parking in that block of Sparks Street.

Delores Taricani, property owner of rental housing at 116 to 124 South Sparks Street, said she would be concerned with the elimination of parking because would affect the entire neighborhood. She urged Council to make a decision on this proposal based on the health and safety of the residents.

Lee Schisler, 317 South Sparks Street, expressed objection to anything that might increase the speed of bicycles or autos coming down the upper portion of the Sparks Street hill. He noted the Foster Avenue/South Sparks Street intersection is already very dangerous. Although it was better than the previous plan, he said, he still had concerns about the speed of traffic.

K.K. Marino, 720 South Sparks Street, submitted a letter of opposition from a neighbor on the proposal. She said there were other alternatives for bicyclists and removing parking on the street was not the answer. She added there were already 16 road signs in the 700 block of South Sparks Street and adding more signage for the bikeway would be "obscene."

Ron Madrid, 701 W. Beaver Avenue, voiced his opposition to the bike lanes. He said this plan will impact parking spaces and will not provide an area for guests to park. He added that the Holmes-Foster Neighborhood Association would be submitting a request in June to have the Foster Avenue bike lane removed. He added that, if a bike lane is the goal, than it is better to put in stop signs.

There being no further comments, Mr. Welch closed the public hearing.

Ms. Lafer moved to schedule this item for further discussion at the April 13 work session. Ms. Goreham seconded the motion, which passed with a 6-0-0 vote.

#### CONSENT ITEMS

Ms. Lafer moved and Mr. Hahn seconded a motion to approve the following consent items. The motion passed with a 6-0-0 vote.

- Use of East Fairmount Avenue, South Pugh Street, East Nittany Avenue, Locust Lane, East Foster Avenue, and Fraternity Row for the Penn State Cycling Club bicycle race on Sunday, May 3, 2009, from 10:00 a.m. to 6:00 p.m.
- Use of various sidewalks in the Borough for the Annual Great Strides Walk to benefit the Cystic Fibrosis Foundation on Saturday, April 25, 2009, from 9:00 a.m. to 2:00 p.m.
- Use of various sidewalks in the Borough for the Annual Crop Walk to fight hunger on Sunday, October 18, 2009, from 2:00 p.m. to 3:30 p.m.
- Use of various sidewalks in the Highlands neighborhood and downtown State College for a Community Awareness March on Wednesday, April 15, 2009, from 7:00 p.m. to 10:00 p.m.
- Use of Locust Lane between Nittany and Fairmount Avenues for a Beach Volleyball Tournament to benefit cancer research on Sunday, April 26, 2009, from 12:00 noon to 6:00 p.m.
- Use of Fairmount Avenue between Locust Lane and Garner Street for the Chariot Races on Friday, April 17, 2009, from 3:00 p.m. to 9:00 p.m., conditioned that the street cannot be closed until 3:00 p.m.
- Use of sidewalks in front of the Post Office on South Fraser Street for Tax Day Tea Party on Wednesday, April 15, 2009, from 3:30 p.m. to 7:00 p.m.
- Resolution 990 to apply for a grant from the Pennsylvania Department of Conservation and Natural Resources.
- Resolution 991 for the destruction of records in the Finance and Parking offices.
- Award a contract for bituminous patch material for the 2009 patching season to HRI, Inc., in the total amount of \$64,600.00.

Mr. Hahn moved to approve the minutes of March 2, March 9, and March 20, with the following changes:

- March 2, 2009 – North/South Bikeway, first paragraph, replace the third sentence with the following: Council also discussed replacing the South Sparks Street portion of the bike path, between Westerly parkway and West Hamilton Avenue, with West Hamilton

Avenue, between Westerly parkway and South Sparks Street. It was noted that West Hamilton Avenue had less of an incline than South Sparks Street.”

- March 2,2009 – Amendment to the Zoning Ordinance for Home Occupations, second paragraph, insert the following after the second sentence: “Mr. Hahn proposed an amendment to allow dog grooming as a special exception only, but it was ruled out of order.”

Ms. Goreham seconded the motion. The motion passed with a 6-0-0 vote.

Council considered the use of the 200 block of South Allen Street between Beaver and Foster Avenues by the Centre Region Bike Coalition for a Bicycle Rodeo and Street Fair on Saturday, May 2, 2009, from 10:00 a.m. to 2:00 p.m., conditioned on receiving approval from the Health Department and approval of all permits and inspections needed for serving of food and drink by April 25. Brian Dempsey, 135 East Nittany Avenue, distributed a flyer on “Four Townships and a Borough” bicycle tour a part of the event. Mr. Rosenberger moved to approve the use of the street, with the condition listed above. Ms. Goreham seconded the motion, which passed unanimously.

#### OFFICIAL REPORTS AND CORRESPONDENCE

**Mayor’s Report.** Mr. Welch noted the passing of Sid Friedman, who had made many contributions to the development of the downtown.

**President’s Report.** Ms. Goreham asked that Council members report on the National League of Cities Congressional Conference held in Washington, D.C., last month. She reported on a session on transportation issues and the availability of a prescription discount card.

Ms. Lafer reported on a session on information technology and communications and that there was an increase in HUD funding and additional funding for environmental programs.

Ms. Lawrence indicated she had participated in workshops with municipalities facing similar financial situations as the Borough and that additional funding may be available through the COPS program.

**Staff/Committee Reports.** Staff presented the 2009 First Quarter Report from the Department of Enforcement and Public Health (DOEPH). Council asked questions on refuse investigations and the graffiti program. Staff also reported on the policy for eating and drinking permits for not-for-profit agencies and the status of the study on an Act 315 Certified Health Department.

Staff announced that ClearWater Conservancy would be holding their 13th annual Watershed Cleanup Day on April 25, 2009.

There being no further business, the meeting adjourned at 8:33 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary