

**Meeting Minutes**  
**State College Borough Council**  
**October 12, 2009**

The State College Borough Council met on Monday, October 12, 2009, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Elizabeth Goreham called the meeting to order at 7:30 p.m.

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

Also present: Thomas J. Fountaine, II, Borough Manager; Roger A. Dunlap, Assistant Manager for Budget and Administration; Thomas S. Kurtz, Assistant Manager for Community Services; Thomas R. King, Chief of Police; Amy Story, Borough Engineer; Herman L. Slaybaugh, Planner/Zoning Officer; Michael S. Groff, Finance Director; Carl R. Hess, Planning Director; Beth A. Johnston, Director of Human Resources; Linda S. Welker, Tax Administrator; Sheila Carl, Recording Secretary; members of the media; and other interested observers.

**Public Hour.** District Justice Carmine Prestia administered the Oath of Office to Mayor Felicia Lewis.

Peter Buckland, 732 Galen Drive, president of a student group, Environment - Ecology - Education in the College of Education at Penn State, said the group is asking PSU to cease their contract with Pepsi because of Pepsi's use of single use water bottles. Mr. Buckland is also asking that the Borough no longer use single use water bottles.

**Open Agenda/Projects Report:** Council was given an updated list of projects currently in progress and anticipated and a list of upcoming agenda items.

Council requested the State College land area plan be discussed during a meeting before the end of 2009.

**Strategic Planning.** Council was provided with a copy of the Strategic Plan and were asked to indicate any revisions before adoption of a final version. Debbie Thompson from Strategy Solutions, Inc. attended the meeting to answer any questions.

Ms. Thompson asked Council to focus on the one page summary showing the six goals and try to prioritize the goals. She suggested Council revisit the plan once a quarter and have staff provide updates on the progress of the plan.

Council stated the plan was a nice reflection of their discussions but was concerned the plan would authorize expenditures. Ms. Thompson reassured Council the plan does not authorize expenditures and is independent from the budget.

**West End Zoning.** Council was asked to review the comments from the public comment session held on October 5 and direct staff on how to proceed with the amendment. Council was reminded if they wish to modify the amendment before adoption, the full amendment must be returned to the Planning agencies for the mandatory review prior to a formal public hearing and adoption of the amendment.

Council expressed their concerns with the current amendment. They would like to have inclusionary housing and greater density. One of the goals in the West End is to develop the area and increase the Borough's tax base. The current amendment will not do that. Council stated they would like to see changes to the amendment before voting in favor of it.

Council suggested starting with small projects, such as lighting, so the overall project can continue to develop and show signs of progress.

**Allen/Waupelani Bike Way.** Council was provided with a summary of the options related to this project.

Council discussed the various options and what they felt were the pros and cons of each. They stated it was important for businesses to have parking available and be a homeowner friendly neighborhood. Council members thought it would be beneficially to have the parking restored on the 100 blocks of Foster Avenue and to use the "Share the Road" designation on Allen Street.

Council also expressed concern about sending the wrong message by taking away the designated bike lane on Foster Avenue.

**College Township Official Map.** The State College Planning Commission discussed the proposed map change and recommended Borough Council's support.

Council did not have any objections to the proposed changes and directed staff to inform College Township of the same.

**Nuisance Gathering Ordinance.** Council expressed concerns that the Nuisance Gathering Ordinance could have an adverse affect of the Town/Gown relationships.

Council had mixed thoughts about holding the hosts liable for the actions of partygoers after they have left the party. Some members stated this may be too harsh and a safe harbor provision should be added to the ordinance. Others members of Council stated the hosts should be more responsible for the amount of alcohol being served at their parties and be more concerned about the safety of their guests.

**Zoning Amendment: Fraternity/Student Home.** Council reviewed three proposed zoning ordinance amendments related to the definitions of a student home and a fraternity.

Herman Slaybaugh, Planner/Zoning Officer, reviewed the ordinances which are scheduled for a public hearing on November 2. Council has no questions.

**2009 Property Maintenance Code.**

Council received a revised working draft of the proposed 2009 Centre Region Building Safety Code along with a staff memo outlining the key transition points from the earlier draft (titled Property Maintenance Code) to this latest version. Walter Schneider, CRCA Director, attended the meeting to provide a brief overview of the proposed 2009 CRBSC and to respond to Council questions. A public hearing is scheduled on the proposed 2009 CRBSC for November 2.

Mr. Schneider explained some of the proposed changes and some of the questions that still remain and require some feedback from Council. He responded to some questions regarding building occupancy limits, how the maximum capacity was determined, and how occupancy is enforced.

**Earned Income Tax – Adoption of 2010 Rules & Regulations for Earned Income and Net Profits Tax Returns.** Council reviewed the proposed 2010 Rules and Regulations for Earned Income and Net Profits Tax Returns.

Ms. Welker reviewed two proposed changes from the current ruled and regulations.

Council members agreed with the changes and scheduled adoption for the October 19 meeting.

**Centre LifeLink Proposal for a Lucas Chest Compression System.** Council was asked to provide comments on Centre LifeLink's request for funding the purchase four of the Lucas Chest Compression System.

Council agreed the systems were a good investment even if just one life was saved but agreed Centre LifeLink should first try a fundraising campaign and then use the municipal formula through the Council of Governments if additional monies were needed for the purchases.

There being no further comments, Council adjourned to an executive session to discuss personnel matters at 9:55 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary