

Meeting Minutes
State College Borough Council
October 19, 2009

The State College Borough Council met on Monday, October 19, 2009, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Mayor Lewis called the meeting to order at 7:31 p.m.

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

Also present: Terry J. Williams, Borough Solicitor; Thomas J. Fountaine, II, Borough Manager; Carl R. Hess, Planning Director; Amy Story, Borough Engineer; Beth Johnston, Human Resources Director; Roger A. Dunlap, Assistant Borough Manager of Budget and Administration; Michael S. Groff, Finance Director; Thomas S. Kurtz, Assistant Borough Manager for Community Services; Sharon K. Ergler, Assistant Borough Secretary; Thomas King, Chief of Police; Herman Slaybaugh, Zoning Officer/Planner; Lu Hoover, Planner; Alan Sam, Borough Arborist; Cindy Shelow, Project Technician; Dana Cuomo, Victim Advocate; Deidri Fishel, Detective; members of the media, and many interested residents.

Mayor Lewis began with a moment of silence and the Pledge of Allegiance.

PUBLIC HOUR

University Park Undergraduate Association's Campus Night Out. Ms. Colleen Smith, UPUA Governmental Affairs Chair and Mr. Raglin, also of UPUA, invited Borough Council and the community to attend UPUA's "Campus Night Out", which parallels the "National Night Out." The event will be held on Thursday, October 22, from 5 p.m. to 9 p.m. on the HUB lawn. Ms. Smith said the event is planned in response to the increased acts of violence and assaults. It is UPUA's idea to create the "safest night at Penn State."

2009 Excellence in Victim Services Award Announcement. Chief King announced that the State College Police Department recently received the International Chiefs of Police Association's 2009 Excellence in Victim Services Award for the development and implementation of the Victim Centered Intensive Case Management (VCICM) Unit established through a federal grant.

Reverend Anne Ard, Women's Resource Center Director, said the reason the State College Police Department received this award was because of the leadership they have shown and the collaborative work they have done. It enables us to reach out to victims, which is a model to be replicated in the county and beyond.

Chief King said on Tuesday, October 20, there is a Centre County Domestic Violence Awareness event, which will be held at the Centre County Courthouse steps from 12 p.m. to 1:45 p.m. and the public is welcome to attend.

Items not on Tonight's Agenda. There were no comments on items not on the agenda.

PROCLAMATIONS

Mayor Lewis announced the following proclamations:

National Friends of the Library Week which was received by Christine Lichtig, Lynn Petnick and Judy Lang on behalf the Schlow Centre Region Library.

Centre County PAWS for a dog walk a-thon and for responsible Pet Ownership Week.

Gandhi, King, Ikeda Community Builder's Day, which was received by Niyati Katana and Giovanni Bono. Mr. Bono invited Borough Council to the opening ceremony of the event and exhibit, which will take place on October 28 at 7 p.m. in the Pasquerilla Spiritual Center on Campus. Ms. Katana said the event runs through November 10th.

Consent Items. Mr. Hahn made a motion to approve the following consent items. Ms. Lafer seconded the motion, which passed 6-0-0.

- Vouchers for the month of September 2009 in the amount of \$1,942,817.17.
- Award a three-year contract for professional auditing services to Maher Duessel, at a fee not to exceed \$207,000.
- Centre Region Parks and Recreation's 64th Annual Halloween Costume Parade on Monday, October 26, from 6 p.m. to 8:30 p.m.

GENERAL POLICY AND ADMINISTRATION

Inter-Municipal Transfer of Liquor License. Council held a hearing on October 5 on an application for a liquor license transfer from ARC Restaurants, LLC t/a Pizza Hut in College Township into the Borough at their existing establishment at 760 South Atherton Street.

Mr. Morris made a motion that Council adopt Resolution #1004 approving the liquor license transfer with conditions. Mr. Hahn seconded the motion.

Mr. Morris moved an amendment to the resolution to remove condition #10, which permits vocal music. Ms. Goreham seconded the motion and it passed 5-1-0 (Mr. Filippelli voted against the motion).

Ms. Goreham made a motion to amend the resolution, condition #6, to not allow the sale of alcohol for off-premise consumption. Mr. Filippelli seconded the motion.

Carol Gold, 134 East Doris Avenue, said adults like to have a 6 pack of beer with their pizza once in a while, and encourages Council to not ban Pizza Hut from selling take-out beer.

Staff suggested that condition #6 be revised to read as follows: "If two violations related to off-premise sales occur during the licensing period, no further off-premise sales would be permitted."

Mr. William Flaherty, Attorney for Pizza Hut owner, said he and his client concur with the staff's proposed restrictions in the proposed condition #6.

Ms. Goreham withdrew her motion.

Mr. Morris made a motion to modify condition #6 as previously stated by staff. Mr. Rosenberger seconded the motion, which passed 6-0-0.

The motion to approve the transfer of the liquor license from College Township to the State College Pizza Hut passed 4-2-0 with Mr. Filippelli and Ms. Lafer voting against the motion.

Strategic Planning. Mr. Rosenberger made a motion to adopt the 2009 Strategic Plan, to add all of the features that go into improving and sustaining neighborhood programs, and to publish the report. Ms. Goreham seconded the motion. The motion passed 6-0-0.

Greenhouse Gas Emissions Report. Mr. Sam explained that the State College Borough had received a grant from the PA Department of Environmental Protection to conduct a Greenhouse Gas inventory for the Centre Region and all of the Centre Region.

Dr. Brent Yarnal, Professor of Geology at Penn State, presented an overview of the Greenhouse Gas Emissions Report and Phase I of the Centre Region Climate Change Action Report.

Earned Income Tax- Adoption of 2010 Rules & Regulations for Earned Income and net Profits Tax Returns. Mr. Filippelli made a motion to adopt the resolution approving the 2010 Rules and Regulations for the Earned Income Tax and Net Profits Tax. Mr. Rosenberger seconded the motion which passed 6-0-0.

Resolution to Distribute State Aid for Pensions. Mr. Rosenberger made a motion that council enact the resolution # 1005 to distribute state aid to the Borough's Police and General Government Pension Funds based on the ratio approved in the 2009 budget. Mr. Filippelli seconded the motion. The motion passed 6-0-0.

PUBLIC WORKS

Allen Street/Waupelani Drive Bike Route. Ms. Lafer made a motion to adopt an ordinance to modify parking on various streets and approve the described modification for the Waupelani/Allen Bikeway. Mr. Rosenberger seconded the motion.

Ms. Goreham moved an amendment to strike item #7 to return metered parking to the 100 block of East and West Foster Avenue). Council member Morris seconded the motion.

The amendment failed 3-3-0 (Ms. Lafer, Mr. Rosenberger and Mr. Filippelli voted against the motion).

The motion to enact Ordinance #1936 to add the Allen/Waupelani Drive Bike Route passed 4-2-0. Council members Morris and Goreham voted against the motion.

COMMUNITY DEVELOPMENT

Sponsor a Renewal Application for the Local Shelter Support Initiative. Ms. Lafer made a motion to approve the submission of the renewal application for the Local Shelter Support Initiative for the Centre County Affordable Housing Coalition. Ms. Goreham seconded the motion, which passed 6-0-0.

REGIONAL

Centre LifeLink Proposal for a Lucas Chest Compression System. Council agreed that the memo prepared with their comments about the Centre LifeLink represented Council's sentiments based on last week's discussion.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report. Ms. Lewis reminded everyone that next week is National Aging in Place Week for those who want to maintain their dignity and stay in their homes and community.

Ms. Lewis also expressed her gratitude for recently being appointed Mayor. She said it is a great honor and privilege to serve.

President's Report Ms. Goreham announced that Council held an Executive Session prior to tonight's meeting to discuss litigation.

Regional Liaison Reports.

Executive Committee – Ms. Goreham reported the Executive Committee recently discussed Hess Field.

Finance Committee – Mr. Hahn said the Finance Committee began budget discussions.

Public Services & Environmental Committee – Mr. Morris noted that Dr. Yarnal, Amy Story, and Alan Sam presented a report on the regional aspects of the Greenhouse Gas Study. Also discussed were regulations for well and bore-hole construction.

Transportation & Land Use Committee – Mr. Rosenberger reported the Transportation and Land Use Committee will meet with the Centre Regional Planning Commission in November.

Parks Capital Committee – Mr. Rosenberger said the Parks Capital Committee continues to discuss the Hess Field proposal.

Staff/Committee Reports. Staff presented a report of the Department of Ordinance Enforcement and Public Health's 3rd Quarter 2009 Activities.

Staff also reported on the extensive tree damage and wide-spread power outages caused by the unusually early snowfall. An Emergency Declaration was issued and upgraded to a disaster last Friday morning. An emergency shelter was opened for those without power.

Council's meeting adjourned at 9:15 a.m.

Respectfully submitted by:

Sharon K. Ergler
Assistant Borough Secretary