

Meeting Minutes
State College Borough Council
December 7, 2009

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

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

Also present: Thomas J. Fountaine, II, Borough Manager; Terry J. Williams, Borough Solicitor; Carl R. Hess, Planning Director; Herman Slaybaugh, Zoning Officer/Planner; Norma J. Crater, Accounting Supervisor; Mark Whitfield, Director of Public Works; Charles DeBow, Parking Manager; Roger A. Dunlap, Assistant Manager for Budget and Administration; Sharon K. Ergler, Recording Secretary; Thomas S. Kurtz, Assistant Manager for Community Services; Thomas R. King, Chief of Police; Beth Johnston, Director of Human Resources; Thomas Daubert, Incoming Council Member; Timothy Grattan, Information Technology Director; members of the media; and other interested observers.

Public Hour: Mr. Patrick Leary, Gregg Township Supervisor, asked Council to direct its delegate to the Centre County Tax Collection Committee (Mr. Fountaine) to support an equal vote for each tax collection district rather than voting weighted by population and revenues. He asked Council to charge their delegates to reject the weighted voting and to allow equal representation. Further, he explained that the Bylaws must be decided upon by April 15, 2010 and he stated that everyone has an equal stake in this endeavor.

Council members commented that if the Borough and the larger school districts have more people and collect more EIT, they should have more votes.

PUBLIC HEARING

2010 Operating Budget. Council held a public hearing on the 2010 Operating Budget which had been available for public inspection since November 6, 2009.

Mr. Rightmyer of 785 Walnut Springs Lane commented that the 2010 Operating Budget is inflated and it includes totally outdated objectives. He read aloud the figures he felt the Borough should examining.

There being no further comments on the budget, Ms. Goreham closed the hearing at 7:52 p.m.

SPECIAL PRESENTATIONS

Focus on Appearance Awards. Mr. Kevin Gombotz, Chairman of the Design Review Board (DRB), announced Focus on Appearance Awards to Looks Hair Design in East Calder Way for their exterior façade renovations and Old State Clothing Company for their refreshing façade changes at the corner of East Beaver Avenue and South Allen Street.

CONSENT ITEMS

Ms. Lafer moved to approve the following consent items. Mr. Morris seconded the motion, which passed unanimously.

- Approve vouchers for the month of November 2009 in the amount of \$2,238,880.26.
- Approve the use of the Sidney Friedman Park, Municipal parking lot across from the Borough Building, and various downtown sidewalks for a 5K Race and Moon Bounce for the Autism Speaks Foundation on Saturday, April 10, 2010 from 12 p.m. to 4 p.m.
- Approve Ordinance #1938 to make a technical correction in the parking regulations on East College Avenue.

GENERAL POLICY AND ADMINISTRATION

Renaming the State College Municipal Building. Council received with the agenda a resolution to name the State College Municipal Building as the William L. Welch, Jr. Municipal Building in memory of Mayor Welch.

Mr. Morris made a motion to table this until Council has had more time to think about it and to discuss it at an upcoming work session. Mr. Rosenberger seconded the motion.

The motion passed 4-3-0, with Council members Don Hahn, Jim Rosenberger, and Ron Filippelli voting against the motion.

Council also asked staff to provide a draft policy on naming public streets and/or places after distinguished people in our community.

Nuisance Gathering Ordinance. Council received with the agenda a revised Nuisance Gathering Ordinance (NGO). The Manager reviewed the revisions made based on the input at the November 2 public hearing. Staff further reported that late this afternoon they received correspondence from the ACLU regarding the revised ordinance. It was staff's recommendation that Council postpone voting on the proposed ordinance until staff has time to review the ACLU's comments with the Borough Solicitor.

Mr. Filippelli made a motion to postpone the vote on the proposed Nuisance Gathering Ordinance. Mr. Rosenberger seconded the motion.

Ms. Goreham said a party registration form, like the one Bloomsburg uses, would be helpful. It requires the party host to have sufficient restrooms, security available, and to provide the number of guests they planned to have.

Mr. Matthew Lachman, 817 Saxton Drive and UPUA Legal Affairs, said Ms. Goreham's approach is something the UPUA Legal Affairs agrees with and he said he looked forward to discussing this further with Borough Council.

Ms. Carol Gold, 134 East Doris Avenue, said she supported postponement because it will create an opportunity for more dialogue and discussion for all players.

Next, Council voted unanimously 7-0-0 to postpone their vote on the NGO.

PLANNING AND ZONING

Zoning Amendment - Student Home Definition.

Ms. Lafer moved that Council approve the Ordinance #1944 amending the Zoning Ordinance to revise the definition of Student Home. Mr. Rosenberger seconded the motion, which passed unanimously.

REGIONAL ISSUES

Long Range Transportation Plan 2040. Staff noted that Council reviewed the list of the Long Range Transportation Plan's proposed projects at the November 20 meeting and provided direction to staff to prepare the comments for forwarding to the CCMPO. Council had provided direction to staff on which projects Council would like to have submitted to the CCMPO by the December 11 deadline. Council reviewed the matrix, which was included in their agenda packet that listed all of the projects, Council comments, Planning Commission and Transportation Commission comments, and staff recommendations on project rankings.

Mr. Rosenberger made a motion to approve the submission of projects and the comments to the CCMPO. Mr. Hahn seconded the motion, which passed unanimously.

OFFICIAL REPORTS AND CORRESPONDENCE

Mayor's Report – Ms. Goreham reported that Mayor Lewis is recovering nicely at Health South, following a recent fall where she fractured her arm and her hip.

President's Report – Ms. Goreham reported that Borough Council held an Executive Session on December 4 to discuss personnel matters.

Regional Liaison Reports

Public Safety Committee - Ms. Lawrence reported that the committee will be meeting on Wednesday.

Finance Committee – Mr. Hahn reported that the Finance Committee meets tomorrow and they will be discussing the building permit fees and the Library Director recruitment.

Human Resources Committee - Mr. Filippelli said this committee would be meeting with a subcommittee with other members of COG to hear a grievance hearing on a COG layoff.

Public Services & Environmental Committee – Mr. Morris reported that this committee will be taking a field trip to look at composting.

Transportation and Land Use Committee – Mr. Rosenberger reported that this committee met recently with the Centre Region Planning Commission.

Parks Capital Committee –Mr. Rosenberger said the Parks Capital Committee and Recreation Authority met today and reviewed the Master Plan proposed for the Whitehall Regional Park. He encouraged Council members to go to the Parks and Recreation website and take a look at the proposed regional park.

Staff/Committee Reports – Staff distributed to Council members the Conflict of Interest Policy and Code of Conduct with regard to HUD Programs.

ITEMS OF INFORMATION

Mr. Hahn reported that he recently attended the PA League of Cities meeting in Harrisburg. He said the 2010 Annual Budget passed and they discussed the lobbying efforts with respect to property tax relief.

Mr. Morris introduced a resolution honoring the life and work of Dr. Martin Luther King, Jr. He asked that this be placed on Council's agenda for their next meeting.

Council recessed to a work session to discuss the proposed 2010 Operating Budget at 8:42 p.m.

2010 Operating Budget. Staff presented an overview of the proposed Fee Schedule and Capital Improvements portions of the 2010 budget.

Staff next presented an overview of the Police budget.

Council members raised questions about removing the fee for bicycle registrations and discussed the need for greater bicycle safety.

There being no further business, the meeting adjourned at 9:37 p.m. to an Executive Session.

Respectfully submitted by:

Sharon K. Ergler
Assistant Borough Secretary