

Meeting Minutes
State College Borough Council
Regular Meeting
Monday, September 20, 2010

The State College Borough Council met on Monday, September 20, 2010, in the State College Municipal Building, 243 South Allen Street, State College, PA. Ms. Goreham called the meeting to order at 7:30 p.m.

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

Also present: Thomas J. Fountaine, Borough Manager; Terry J. Williams, Borough Solicitor; Sharon K. Ergler, Assistant Borough Secretary; Carl R. Hess, Planning Director; Thomas R. King, Chief of Police; Amy J. Story, Borough Engineer; Roger A. Dunlap, Assistant Manager; Beth Johnston, Human Resources Director; and Michael S. Groff, Finance Director; members of the media and other interested observers.

Ms. Goreham began with a moment of silence and the Pledge of Allegiance.

Public Hour

Mr. James Meashey, a Corl Street resident, said he recently did a ride along with the State College Police Department. He said his interaction with them was pleasant and they are committed to their job. Mr. Meashey said he would be doing a great disservice if he didn't come forward and let everyone know.

Mr. Justin Robinson, 229 Locust Lane, said his fraternity is hosting a benefit concert on October 1. All proceeds from the concert will benefit THON. Mr. Robinson said he and his fraternity brothers have spoken to residents of the Highlands Neighborhood to let them know the concert will be held from 7 p.m. to 9:30 p.m. He added that his fraternity has registered their concert with the State College Police Department.

Mr. Fountaine said this concert was not put on Council's agenda for approval because the fraternity brothers contacted the Chief of Police last Friday. He said he considered putting this as a blue sheet; however, this event is not sanctioned by the THON or IFC.

Mr. Robinson said he contacted Max Wendkos of the IFC; and IFC cannot endorse the event even though it is an alcohol free event. He added that THON did not want to sanction the event in case there were any problems resulting in negative publicity.

Mr. Fountaine said when making requests for noise waivers, the request must be received 30 days in advance and as of today the Chief of Police and staff will not

approve the noise waiver. If noise complaints come in to the Police Department, the concern may be shut down.

Chief King said one of the Police Department's concerns was that since the IFC would not sanction this event and have the other fraternities withhold from parties that evening, the Police Department would be concerned with a large number of people in the area and the need for crowd control.

Mayor Goreham asked Mr. Robinson if the fraternity would consider postponing this event until some of these issues could be worked out.

Mr. Daubert said THON should have nothing to say about this event if the fraternity wants to hold the concert.

Mr. Fountaine said if Council wishes to waive the noise ordinance for this event, they may; however, staff does not recommend it.

Mr. Hahn said the organizers be considerate of their neighbors and communicate with them about the concert. Ask them to call you first instead of calling the Police Department if there is a noise problem.

Mr. Filippelli said if the fraternity can host the concert without violating the noise ordinance, the Highlands Neighborhood would be happy to host the event.

Mr. Rosenberger agreed and encouraged the fraternity brothers to speak with their neighbors.

Ms. Lafer suggested distributing a letter to your neighbors the day before the event with contact phone numbers along with details of the concert. If you give residents your phone number make sure you have someone there to pick up the telephone.

Ms. Lawrence applauded the fraternity's good intentions for having an alcohol-free event. She said other fraternities should agree to not have parties on that night.

Mr. Robinson said this is a benefit concert and not just a party. The fraternity is hiring 10-12 security guards roaming the area to make sure there is no alcohol and they will be fencing in the area.

Mr. Fountaine said the event itself is not the request. The request is for the noise ordinance waiver. The event itself is permitted without any permission from the Borough.

Mr. Jack Schreck said a number of families in the Highlands have adopted a fraternity. He said his family has adopted this fraternity and he will be accompanying these gentlemen when they visit their neighbors.

ABC Reports

Art in Public Places Committee Report – Mayor Goreham said the Committee met to discuss disbursement of the remaining funds.

Ms. Goreham said the Committee gave \$3,000 to the Community Arts Collective for the mural to be painted on the Calder Way side of the McLanahan's store. The remaining funds will be used to inventory some of the existing art in State College, clean and maintain what exists, and consider the purchase of additional artwork in downtown.

The AIPP agreed it would be in everyone's best interest to have an independent body take over this project. The Committee is recommending the Central PA Festival of the Arts take over this project and disperses the remaining funds to them to take over the roll of managing art in public places.

Mr. Bryant said the CPFA would be willing to accept the responsibility.

Council members suggested the AIPP's recommendation be put on a future Council agenda for a vote.

Consent Items – On a motion by Ms. Lafer, and a second by Mr. Hahn, Council voted unanimously to approve the following consent items:

- Approved vouchers for the month of August in the amount of \$2,345,356.41.
- Awarded Project #11-2010 (Traffic Signal Upgrade Project) to Lecce Electric, Inc., the low bidder, in the amount of \$66,245.
- Approved the use of the Fraser Street Parking Garage courtyard for Webster's Bookstore to hold an Autumn Festival with children's activities on Sunday, October 10, from 11 a.m. to 8 p.m.

General Policy and Administration

Minimum Municipal Obligation for the Borough's Pension Plans for 2011 - Council considered a resolution for the distribution of state aid to meeting pension obligations for both the Police pension fund and the General Government employees' pension fund. Staff distributed a blue sheet, which contained additional information based on Council's discussion at their September 17 work session.

Ms. Lafer moved to approve Resolution 1028 to distribute state aid to the Borough's Police Pension Fund and the Borough's General Government Employees' Pension Fund. Mr. Rosenberger seconded the motion.

A few Council members questioned whether or not we sought COG's input on the distribution of the state aid to meet the pension obligations. Staff said this is the option they recommend the Borough pursue and COG would have the option of funding their pension obligations at a higher level. Staff explained that if Council does not adopt the

25% amortization reduction now, it cannot be reduced later. The amount can be increased but not decreased.

The motion passed with a 5-2-0 vote (Messrs. Daubert and Hahn voted against the motion).

Planning and Community Development

Neighborhood Sustainability Report and Community Survey - Mr. Hess provided an overview of the Neighborhood Sustainability Report and the 2010 National Citizen Survey, which was distributed at Council's September 13, 2010 meeting. Mr. Hess said the report includes several new approaches such as the restorative justice and the good neighborhood school and staff will continue to look for ways to make these kinds of programs useful here. He pointed out that everything outlined will not be approved.

Mr. Daubert expressed concern that staff will work on these different programs without first obtaining Council's approval; there are a number of programs in the Strategic Planning implementation table that he does not want.

Mr. Rosenberger said some items mentioned came directly from the Strategic Planning goals Council worked on last year.

Ms. Lawrence said this is a difficult survey to do in this town because of our transient residents (students). She asked how much the survey costs.

Mr. Fontaine said the survey costs \$10,000 and Council voted last year to survey once every two years.

Mr. Daubert said staff did an excellent job on compiling the information in these two reports.

Official Reports and Correspondence

Mayor's Report – Ms. Goreham reported that she, Ms. Lafer, Mr. Rosenberger, and Mr. Morris met with a PSU Committee on Campus Environment. She said she also attended the PSU Board of Trustees meeting where presentations were made to the Board on town/gown issues. Ms. Goreham said she also recently participated in the PA League of Cities Communities in Crisis Task Force.

President's Report - Mr. Filippelli said last week he participated in a meeting with the University's Student Government organization. He said this meeting provides an open line of communication between the Borough and many of the student organizations.

Regional Liaison Committee Reports

Public Safety Committee – Ms. Lawrence said the Public Services Committee met in a general meeting with PennDOT and Allegheny Power to discuss different public services in the area and the coordination.

Finance Committee – Mr. Hahn said the Finance Committee met and discussed various issues such as funding regional parks the COG 2011 Budget, the library budget and then the planning budget.

Transportation & Land Use Committee – Ms. Lafer said the Transportation & Land Use Committee met and discussed a letter sent supporting the County and MPO's stand against Rush and Snow Shoe in turning 20 miles of old railroad beds into a landfill.

Parks Capital Committee– Mr. Rosenberger said the Parks Capital Committee met last Thursday. The purchase of the Hess Field is complete and all possible safety improvements are being made.

Staff Reports – Mr. Fontaine reported that he, the President of Council, and the Chief of Police testified before a Senate Majority Policy Committee to discuss alcohol related offenses, encouraging maximum fines for underage drinking, and in support of an alcohol fee to support education and enforcement.

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary