

**Meeting Minutes**  
**State College Borough Council**  
**Regular Meeting/Work Session**  
**December 6, 2010**

The State College Borough Council met on Monday, December 6, 2010, in the State College Municipal Building, 243 South Allen Street, Room 304, State College, PA. Mayor Goreham called the meeting to order at 7:30 p.m.

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

Absent: Silvi Lawrence

Also present: Thomas J. Fountaine, II, Borough Manager; Amy R. Miller, Recording Secretary; Michael Groff, Finance Director; Thomas King, Police Chief; Roger Dunlap, Assistant Borough Manager; Beth Johnston, Human Resource Director; Mark Whitfield, Public Works Director; Norma Crater, Accounting Supervisor; Charley DeBow, Parking Manager; Alan Sam, Borough Arborist; members of the media; and other interested observers.

**Public Hearing**

**2011 Operating Budget.** Council held a public meeting to receive comments on the 2011 Operating Budget. There were no comments from the public.

**Public Hour/Presentation**

Veronica Bautista, a Communications Major at Penn State, provided Council with information on a new professional program Penn State offers to aspiring reporters, producers, and directors allowing them to produce a weekly 30-minute newscast on events throughout Centre County.

There were no other comments from the public.

**ABC Reports**

**Report from the Planning Commission.** Carl Hess, Planning Director, presented the Planning Commission's 2011 work program.

Mr. Hahn suggested the Planning Commission revisit rezoning of the Waupelani Drive and the Westerly Parkway area, which has not been addressed since his time of service on the Planning Commission.

### **Consent Items**

Mr. Filippelli moved and Mr. Morris seconded a motion to approve the following consent items. The motion passed unanimously.

- Approve vouchers for the month of November in the amount of \$2,141,676.38.
- Approve minutes for the following meetings held in July and August:

July 12, 2010	Regular Meeting/Work Session
July 19, 2010	Regular Meeting/Work Session
August 2, 2010	Regular Meeting
August 9, 2010	Work Session
August 16, 2010	Regular Meeting
August 18, 2010	Regular Meeting

- Approve the 2011 meeting schedule for Borough Council.
- Approve a Resolution and authorize the officers of the Borough to execute a PennDOT right-of-way agreement at the entrance to High Point Park.
- Approve a Resolution and authorize the officers of the Borough to execute a PennDOT traffic signal maintenance agreement for Blue Course Drive and Whitehall Road/Waupelani Drive.
- Approve a Resolution and authorize the officers of the Borough to execute a PennDOT traffic signal maintenance agreement for the Beaver Avenue and South Fraser Street intersection.
- Accept the resignation of Lauren Dornell-Neal, with regret, from the Human Relations Commission, effective immediately. Ms. Dornell-Neal recently moved out-of-state.
- Approve an agreement to terminate a temporary construction easement for the Fraser Street realignment project and authorize the officers of the Borough to execute and record the agreement upon completion of construction.

Mr. Morris noted that Lauren Dornell-Neal was a neighbor and friend who will be missed on the Human Relations Commission.

Mr. Daubert questioned the Council Meeting Schedule for next year and wanted to confirm that there is only one meeting in January 2011. Staff confirmed.

Mr. Rosenberger stated that on Page 18 of this evening's agenda, the spelling of Rosenberger should be corrected.

### **General Policy and Administration**

**University Park Undergraduate Association's (UPUA) Representative to Council.** Staff explained that on October 18, 2010 Council adopted Resolution #1030 approving a non-voting Student Representative to Council. The UPUA met in early November and nominated Ben Pugh to serve as the interim Non-Voting Student Representative to State College Borough Council.

Ms. Lafer moved and Mr. Filippelli seconded a motion to approve the UPUA's nomination appointing Mr. Pugh to serve as the UPUA representative to the State College Borough Council for an interim term effective January 1, 2011 and ending April 30, 2011. The motion passed unanimously.

Mr. Pugh said gave a brief overview of his background and told council he was looking forward to working with them.

**Defined Contribution Pension Ordinance.** Staff explained that the collective bargaining agreement between the Borough and AFSCME Local Number 1203-A, representing Public Works employees, was ratified by Council on December 7, 2009. A provision of this collective bargaining agreement establishes a Defined Contribution Pension for all new hires effective January 1, 2011. Staff recommended that the new plan also include all non-represented employees hired by the Borough effective January 1, 2011. This plan will only affect newly hired full-time Borough staff. Existing employees will continue to be covered under the defined benefit plan. This new Pension Plan requires a 4.5% contribution from the employee member and a 4.5% contribution from the Borough. An employee will be vested in the plan after the completion of his/her tenth year of service.

Mr. Filippelli moved and Mr. Rosenberger seconded a motion to adopt the Resolution establishing a 401 Governmental Money Purchase Plan to be administered by ICMA-RC. The motion passed unanimously.

Mr. Filippelli moved and Mr. Rosenberger seconded a motion to approve the Plan documents by Borough Ordinance. Through a roll call vote, the motion passed unanimously.

Mr. Daubert questioned the normal length of a vested employee. Staff replied an employee is vested after 10 years of service. Mr. Daubert said the ordinance was unclear and asked for clarification. Mr. Daubert moved to reword a section of the ordinance, but after clarification from staff he withdrew his motion.

Mr. Morris noted for the record that he does not normally approve of a defined contribution plan.

**Renaming the Plaza at the State College Municipal Building.** At a Council work session held on November 19, 2010, Council members asked the Manager to prepare a resolution to rename the State College Municipal Building Plaza as the Mayor Welch

Plaza in memory and recognition of Mayor Bill Welch and his long and distinguished service to the State College Borough.

Mr. Rosenberger moved and Mr. Morris seconded a motion to adopt the Resolution renaming the State College Municipal Building Plaza the Mayor Welch Plaza. The motion passed unanimously.

Mr. Morris also reminded Council to consider purchasing a piece of public art in Mayor Welch's commemoration to also be included in the plaza.

Mr. Filippelli questioned who approved the name, 'Mayor Welch Plaza'. Mr. Fountaine replied that the Welch family recommended and approved the name.

### **Planning and Community Development**

**Extension Forbearance Agreement.** Staff explained that Jack Kay of Susquehanna Realty requested an extension to the Land Transfer and Repurchase Agreement dated October 6, 2008. The final payment was originally due December 31, 2010; the extension will extend the final payment due date until December 31, 2011 and require the developer to make interest payments in advance on the outstanding amount due.

Mr. Dauber moved and Ms. Lafer seconded a motion to approve the Extension Forbearance Agreement as attached with the agenda.

Mr. Hahn said he will vote against the extension for two reasons. The first reason is because some of the principal should be paid down. The second reason was the time frame of the extension. He would have preferred a shorter extension period, perhaps three or six months.

The motion passed with a 5-1 vote with Mr. Hahn opposed.

### **Official Reports and Correspondence**

**Mayor's Report.** Mayor Goreham reported that she attended the Hanukkah celebration and Menorah lighting with Penn State Chabad as well as the lighting of the downtown Holiday Tree this week which was sponsored by the Downtown Improvement District.

**President's Report.** President Filippelli reported that Council met with Penn State officials for their biannual meeting last week. He also announced that Council held Executive Sessions on Monday, November 22, and prior to tonight's meeting to discuss real estate. He noted that Council will also hold an Executive Session following this evening's meeting to discuss personnel matters.

**Regional Liaisons.** Ms. Lafer said the COG Transportation and Land Use Committee met jointly today with the Centre Regional Planning Commission to talk about the economic development program. She added that a draft report should be complete in about a month.

Ms. Lafer also reported that she attended the National League of Cities (NLC) Congress of Cities Conference in Denver, CO this past week and talked briefly about the meetings she attended.

Mr. Hahn also said the Pennsylvania League of Cities and Municipalities (PLCM) has selected State College as the host city for their 2014 Annual Conference.

**Staff/Committee Reports.** Alan Sam presented the work plan for the Tree Commission for 2011, in the absence of Tree Commission Chair, Mark McDill.

Mr. Daubert said in regards to the sidewalk widening project, previous studies indicated the widening would result in the whole street needing to be redone. Mr. Sam concurred and said he would get an update from the Public Works Department on this issue.

**Items of Information.** Staff explained a change in the work session agenda that will follow this evening's meeting. Council will not review the budget as planned; budget discussions will be deferred to the Friday, December 10 Work Session. This evening's work session will be to review the question and answer matrix staff has prepared.

*Council recessed to a work session to discuss the following:*

**2011 Operating Budget.** Staff reviewed Council's questions regarding the budget review thus far. Staff added that Council may ask additional questions at any time during the review process.

Mr. Hahn said after the budget is approved, he will make suggestions for improving the approval process for next year.

Staff also encouraged Council to submit questions prior to a work session so that staff has time to prepare appropriate answers.

Mr. Rosenberger questioned what control the Borough had in regard to fees from other agencies; Staff replied the Borough has no say in what fees are charged that come from other agencies.

Council suggested raising the price of compost; Staff agreed and said the compost sells out quickly.

Mr. Rosenberger then inquired to what extent community service volunteers are used. Staff replied that community volunteers are used extensively through flower planting, miscellaneous office jobs as well as landscape and facility maintenance. Staff added that community service workers cannot be used for street maintenance or construction because of safety concerns and collective bargaining issues.

Mr. Hahn stated that Staff recommends a tax increase to allow positions to be reinstated. He then questioned the interest. Staff replied that the interest is not included in the budget; but rather the interest is put in the capital reserve fund. Staff added the interest would pay one year of salary, but no more.

Mr. Daubert asked when the fee schedule would be reviewed; Staff replied fees would be reviewed next Monday, December 13, if time permits.

Staff requested Council return their additional questions to them so the questions can be added to the budget review schedule.

Mr. Rosenberger requested a review of the equipment depreciation schedule; Staff responded that the depreciation schedule cannot be reviewed in context to this budget, but Council can readdress the depreciation schedule at the beginning of next year.

There being no further business, the meeting adjourned at 8:35 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary