

Meeting Minutes
State College Borough Council
Work Session
Friday, June 3, 2005

The State College Borough Council met in a work session on Friday, June 3, 2005, in the State College Municipal Building's Council Chambers, 243 South Allen Street, State College, PA. Mr. Daubert called the meeting to order at 12:59 p.m.

Present: Thomas E. Daubert, President of Council
Catherine G. Dauler
Elizabeth A. Goreham
Craig R. Humphrey
Jeffrey R. Kern
James H. Meyer

Also present: Thomas J. Fountaine, II, Borough Manager; Mark Whitfield, Public Works Director; Amy J. Story, Borough Engineer; Thomas R. King, Chief of Police; Ronald A. Davis, Assistant Borough Manager; Joanne K. Lopinsky, Assistant Zoning Officer; Herman L. Slaybaugh, Zoning Officer; Michael S. Groff, Finance Director; and Amy R. Miller, Recording Secretary; members of the media; and other interested observers.

Public Hour. There were no comments from the public.

Code Requirements for Fire Safety. Timothy Knisely and Gregory Mussi from Centre Region Council of Governments were present to discuss the recent fire at 500 W. Beaver Avenue, review the code requirements for fire safety, and answer Council's questions regarding changes. Mr. Knisely said in the weeks following the fire Code Administration wanted Council to be aware of the aftermath and what might have led to the fire. Fire Inspector Shawn Kaufmann said no calls were made from inside the house because everyone was asleep. There were 12 people rescued from the house and one fatality. On the 3rd floor there were two bedrooms; only one means of egress is required from the 3rd floor. The only violations observed that contributed to the fire's severity appeared to be caused by the tenants, who had removed the batteries from the smoke detectors. Mr. Knisely stated removal of batteries from smoke detectors is a common occurrence in student housing across the country. Contributing elements that led to the fire were (a) early morning hours, after a party, (b) alcohol related, (c) smoke alarms inoperable, (d) lack of sprinklers, and (e) careless disposal of smoking materials.

Mr. Knisely attended a national summit in Washington, DC, to address the growing problem among student housing. Items discussed were (a) a review of recent incident case studies, (b) best practices for education and enforcement, (c) identifying action items and priorities, and (d) review of proposed legislation. Prevention through education, detection and notification, and suppression by sprinklers were some solutions discussed and are currently utilized locally, but existing buildings are usually exempt from any new code requirements. There is proposed national legislation as well as state legislation for fire safety.

He continued, stating properties within the Centre Region are inspected every 3 to 4 years; fraternities are inspected semi-annually. Prior to 2001, buildings with 6 or fewer units were inspected bi-annually, but to meet this demand, other inspection frequencies slipped to 5 to 6 years. The decision to increase the frequency of some units to balance all inspections was made after considering the number of violations observed, the type of common violations, and the number of new units being constructed.

Mr. Knisely concluded with recommendations for fire safety; the number one recommendation is the installation of sprinklers. Sprinklers are proven to be most effective in reducing fire deaths when coupled with early notification. In addition, sprinklers respond and control a fire without any human intervention—when an occupant cannot. The installation of electric or tamper resistant smoke detectors is also recommended for all existing rental units on all floors and in all sleeping rooms. It is also recommended that all sleeping rooms on 3rd floors or basements have access to two means of egress. Inspections should increase for all rental units to bi-annually and all students should be required to participate in fire safety education.

Mr. Daubert said Council was not aware of the infrequency of inspections. Mr. Daubert added that the rules are not clear and asked for further clarification on the definition of rental properties. Mr. Knisely said a single-family rental property is not subject to the same regulations as a multi-person or multi-unit rental. Mr. Daubert suggested Council not wait for decisions from other townships because of a need to act independently and implement the recommendations as soon as possible. Mr. Knisely added the issue will be addressed at the next Code Committee to streamline as one package. Mr. Kern said he serves on the Code Committee and he is certain the other townships will concur.

Mr. Humphrey asked if COG had the power to place more responsibility on the rental property owners, how COG would handle it. Mr. Knisely responded that for the most part owners do take

responsibility for their property. Fires can occur in new properties just like old properties and it would be tough to pinpoint what property owners could do. Mr. Fontaine said a major issue is with tenant compliance and staff is working on implementing fines for tampering with fire alarms and feels the tenant should be held accountable. Mr. Humphrey disagreed. Ms. Dauler said property owners may become concerned because insurance companies will charge higher rates for properties with sprinkler systems because water damage may result. Mr. Knisely suggested those property owners change insurance companies because most of the insurance companies he is familiar with offer a 30 to 40 percent savings for buildings with sprinkler systems. Mr. Daubert said discussions will continue at the June 13 work session.

Regional Parks. Mr. Fontaine explained the Ad Hoc Regional Park Committee was formed in August 2002 as a result of conversations that occurred at the COG Executive level with various organizations that are involved in team sports in the Centre Region. Feedback indicated there were too few playing fields in the Centre Region to support team-oriented sports. COG decided to pursue an additional 150 acres of playing fields through a regional park concept. The committee discussed issues such as how development would be funded. Last month the committee agreed each municipality would contribute 1/10 of one mil to regional park programs; the fund would be dedicated primarily for planning and development of parks and would generate about \$200,000 a year. The first years would be a planning stage. The University was approached and agreed on two 75-acre sites; the ballpark and an area off Whitehall Road. The question at this time is whether Council is willing to contribute the 1/10 of one mil to support the regional parks effort.

Council member Elizabeth Goreham served on this committee and gave Council an overview of the recent discussion from the Ad Hoc Regional Park Committee. The committee is in disagreement on three issues. One issue was oversight and whether this should be a committee of COG elected officials or the existing Parks and Recreation committee. Second was whether the host municipality would pay 20 percent of the cost to develop a park; the general agreement was that the COG formula would be appropriate. The third issue was whether each park would be regional or belong to its own municipality. Ms. Goreham asked Council for policy guidance on these regional park issues for the next Ad Hoc Regional Park Committee meeting.

Mr. Daubert said the Borough would be contributing but getting nothing in return and felt the Borough does not need more playing fields, but rather the outlying townships have greater need.

Mr. Fontaine said an important issue that resulted in the formation of the Ad Hoc Park Committee is the lack of playing fields to support the Centre Region's population. In addition the demographics have changed in the Borough; there are not as many people with young children living in the Borough and utilizing the parks.

Mr. Kern indicated regional parks should be owned regionally with no consideration as to where a park is located. Ms. Goreham agreed but added that Welch Pool needs to be considered regional as well because the Borough needs help with the funding for redevelopment. Mr. Fontaine explained the problem as discussed by the Committee is that some parks are considered regional, such as Central Parklet, while Thompson Woods, Walnut Springs Park and Lederer Park are considered the Borough's. The same can be said for parks in other municipalities as well. Mr. Fontaine said the term regional is based on acreage and things that may or may not be regional in nature; the definition of regional should be more specific. He added the Committee felt hand-picking certain parks to be determined regional was not logical.

Mr. Meyer said the playing fields are without doubt regional, are used by self-funded sports leagues, and should be maintained by COG.

Mr. Daubert said these organizations are charging for sports but not paying for use of fields, and COG has no control over use of the fields. The fields need to be better managed. Mr. Fontaine said an issue is how we define regional.

Ms. Goreham read the motion by the Ad Hoc Regional Park Committee. The motion stated the Ad Hoc Regional Park Committee be part of the continuing discussion to determine the regional development, future ownership, and consideration of a new program to allow additional regional programs.

Council will continue this discussion at their next meeting.

June 6, 2005, Council Agenda. Mr. Fontaine stated on Page 7 of the agenda there were two typos in the first paragraph. The third line of the paragraph should read 'negotiations' rather than 'negations'. The last sentence in that same paragraph should start with 'If approved' rather than 'I approved'.

Items of Information. Mr. Kern asked Council to consider asking staff to attend Council meetings only when necessary as they are wasting their time. Mr. Fontaine replied generally staff only attends when necessary.

There being no further business the meeting adjourned at 2:00 pm and continued with a walk to view an apartment at Penn Towers to observe the proposed increase in height limitation to 95

feet. Council also viewed the downtown from the top floor of the Fraser Street parking garage. Council agreed the intended height increase was acceptable. Council departed at 2:52 pm.

Respectfully Submitted by:

Cynthia S. Hanscom
Assistant Borough Secretary