

Meeting Minutes
State College Borough Council
Regular Meeting
Monday, March 21, 2011
7:30 p.m.

The State College Borough Council met on Monday, March 21, 2011, 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
Silvi Lawrence
Peter Morris
James Rosenberger

Also present: Thomas J. Fountaine, II, Borough Manager; Sharon K. Ergler, Assistant Borough Secretary; Roger A. Dunlap, Assistant Borough Manager; Anne Messner, Planner/Zoning Officer; Thomas R. King; Chief of Police; Mark A. Whitfield, Director of Public Works; Ben Pugh, UPUA Student Representative; Charles DeBow, Parking Director; interested members of the media and concerned residents.

Public Hour - Hearing of Citizens

Proclamation – Mayor Goreham presented a proclamation declaring Saturday, March 26, 2011, from 8:30 – 9:30 p.m. as Earth Hour in the State College Community to Bill Sharp from PA Interfaith Power and Light.

Mr. Jordan Rolon, 322 Fraternity Row, Alpha Gamma Rho's Philanthropy Chair and Founder of the "Be Easy Paraplegic Fund" explained that he was organizing a fundraiser to assist Ben Alessi, a 19 year old hit by a car in February 2010.

Reports

Spring Creek Watershed Community – Nick Schipanski, the Water Resources Coordinator, presented the 2011 Water Resources Monitoring Project and the steps involved in collecting and analyzing the data. He explained the project is funded by many municipalities and authorities.

Council members asked questions related to water table levels and runoff and whether runoff influences the quality of our water, which Mr. Schipanski answered.

Consent Items

Mr. Hahn asked that the minutes be pulled from the list of Consent Items because he had corrections. On a motion by Mr. Hahn and a second by Ms. Lawrence, Council voted to unanimously approve the following consent items:

- Approve the use of various sidewalks and Friedman Park on Sunday, April 10, from 9 a.m. to 2 p.m. for the 14th Annual AIDS Walk.
- Approve the use of Friedman Park, with conditions, on Wednesday, April 20, from 3 p.m. to dusk for a live music event with four local groups performing.
- Approve the use of Locust Lane, from College Avenue to Wilson Alley, on Fridays beginning May 6, 2011, until November 18, 2011, from 9:30 a.m. to 6 p.m. for the Downtown State College Farmers' Market [with the exception of July 15 and August 19; July 15 (Arts Festival) there will be no market; for August 19 2011, approve the use of Hiester Street (College to Wilson Alley) for the market.]
- Approve the use of the Municipal Building Lobby and Mayor Welch Plaza on Tuesday, June 1, from 12 p.m. to 3 p.m. for the State College Community Land Trust's 15th Anniversary Celebration.
- Approve the closing of West Prospect Avenue, from South Gill Street to South Barnard Street, on Friday, May 14, from 11 a.m. to 5 p.m. for a Centre Region Parks & Recreation Tennis Block Party.
- Approve the use of Locust Lane, from College Avenue to Wilson Alley, on Tuesdays beginning May 18 until November 15, from 9:30 a.m. to 6 p.m. for the Downtown State College Farmers' Market.
- Approve the use of Fraternity Row, between East Fairmount Avenue and East Foster Avenue, on Sunday, April 10, from 1 p.m. to 5 p.m. for the Greek Week Kick-Off Party.
- Reappoint Charles Gable and appoint Cynthia Carpenter to the Centre Regional Planning Commission with terms expiring on December 31, 2011.

Mr. Hahn made the following corrections to the January 21 minutes. On Page 3 in the first paragraph, he said that increased funding for mass transit and rail should be discussed and noted this requires corrections in three places. The next correction, also on Page 3, Mr. Hahn asked when the quarterly update on the Fraser Centre would be scheduled.

Mr. Hahn also made corrections to the February 7 minutes. On Page 2 in the second paragraph, he said the correct word in the first sentence is "defer" rather than "differ". Mr. Hahn said during the discussion on the channelizing pedestrians on the 100 block of South Atherton Street, he expressed his concern that the pedestrian safety project would trap j-walkers on a busy street.

Ms. Lawrence made a correction to the January 21 minutes. She said she was not listed as attending; however, she was there and participated in many of the discussions.

Ms. Lawrence made a motion to approve the minutes listed below with the noted corrections. Mr. Rosenberger seconded the motion, which passed unanimously.

- January 6, 2011 Work Session
- January 10, 2011 Regular Meeting
- January 21, 2011 Work Session
- February 7, 2011 Regular Meeting

- February 14, 2011 Work Session and Regular Meeting
- February 18, 2011 Work Session

Planning and Zoning

Rezoning Request for 507 Easterly Parkway

Mr. Filippelli made a motion to enact Ordinance 1963 to rezone the property at 507 Easterly Parkway from R-2 to R-3 zoning. Ms. Lafer seconded the motion.

Mr. Hahn said he would be voting against this motion because he considers this ad-hoc or spot zoning. He said Council recently did this at the Ramada and that zoning change was only applicable to two lots. This zoning would be applicable to only this lot. He said he sees nothing wrong with the R-2 zone and this property is bounded by other R-2 properties.

The motion passed 6-1 with Mr. Hahn opposed.

Projects Report/Upcoming Agenda Items

Council reviewed the Projects Report and Upcoming Agenda Items. Staff pointed out the time change of Council's April 18 meeting from 7:30 p.m. to Noon; however, the same items will be discussed.

Council members had questions on the status of projects previously listed in the Projects Report, vehicle replacements, and the Food Waste Study. Staff explained all equipment purchases have either been made or are on target for replacement following the depreciation schedule and evaluation. All vehicles purchases are made following Council's approved goals to obtain the most energy efficient vehicles as possible. The Food Waste Study information will not be available until after the trial period for collection ends on June 30, 2011.

Mr. Hahn said at Council's January 21 meeting he raised a concern about International Students and how they are treated, specifically harassment. He asked if there was a blind spot in the community. He asked what organizations monitor how or if there is any trouble in the community for these students. He reiterated his concern and request to see a report that could be made on that. Mr. Hahn said he would be satisfied to hear there is no harassment problem. Mr. Morris agreed and shared Mr. Hahn's concerns.

Staff said there are several organizations, including the Community Diversity Group and other groups on campus that would monitor if complaints are being received. There is no formal process for monitoring those complaints. Housing and/or employer complaints would come to the Borough's Human Relation Commission and, to date, no complaints have been received. Staff said they would try to put something together this summer in response to Mr. Hahn's request.

Mr. Daubert questioned the Project Report and why delayed or uncompleted projects were removed from the latest list. Staff said the Projects Report was updated with the adoption of the 2011 Budget, and cancelled or not renewed projects are no longer being monitored. Mr. Daubert said the report is incomplete because he cannot tell from this report what projects have been delayed and what projects were on in 2010 are still on in 2011.

The Manager informed Council that anytime a Council member wants an item placed on an agenda, they should contact him and staff would build it into an upcoming agenda.

Mr. Hahn made a motion to receive the upcoming agenda schedule monthly. Mr. Daubert seconded the motion.

Mr. Daubert said for many years the Council President would present a list of upcoming agenda items at a monthly work session of Council, which was less formal.

The motion to receive a list of upcoming agenda items monthly passed 5-2 with Messrs. Filippelli and Morris voting against the motion.

Official Reports and Correspondence

Mayor's Report – Ms. Goreham reported she recently attended the National League of Cities Conference in Washington with several members of Council.

President's Report - Mr. Filippelli reported Borough Council would hold an Executive Session immediately following tonight's meeting to discuss personnel and legal matters.

National League of Cities Congressional Cities Conference Report – Council members Morris, Hahn, and Lafer provided a report on the NLC's Conference held last week. Council members attended several informative sessions, including a press conference on Community Development funding, pensions, and municipal solvency, regional cooperation, women and veterans in small businesses, and both National and International Sales in Business.

Mr. Filippelli said although he did not attend the conference, he went to Capitol Hill with Council members Lafer and Morris and met with Representative Thompson's staff; Senator Toomey and his staff; and Senator Casey and his staff. The bulk of the conversation centered on CDBG funding, which is of vital importance to State College and other PA municipalities.

Ms. Goreham said a Wahlberg, Minnesota (population 2,000) representative told her they hired a National lobbyist who in four years has found them more than \$1 million in grants from the federal government.

Regional Liaison Reports

Executive Committee – Mr. Filippelli said the Executive Committee will meet tomorrow with the Parks Capital Committee to discuss moving forward with COG legislation on Regional Parks.

Finance Committee – Mr. Hahn said he was unable to attend the last Finance Committee meeting because he was attending the NLC's Conference; however, Assistant Manager Roger Dunlap attended. Mr. Dunlap said the Committee's primary discussion was about the library funding formula, as well as Ferguson Township rejoining the Library.

Parks Capital Committee – Mr. Rosenberger said he was unable to attend the last Committee meeting; however, the Manager went in his place. He said the Parks Capital Committee will be meeting with the Executive Committee to discuss the new proposal for the use of the funds, up to \$300,000, for safety improvements to be used for water and restrooms as needed at the parks but capped the total at \$300,000. Tomorrow there will be a tour of the facilities and the meeting will begin at Noon.

Public Safety Committee – Ms. Lawrence said the Committee met on March 9 and discussed House Bill 377, which relates to removing the sprinkler code requirements out of the PA Building Codes for R1 and R2 residences. Steve Bair and Tim Knisely felt this was the wrong way to make buildings safe for people and they were very concerned if these requirements are removed.

Public Services and Environmental Committee – Mr. Morris said the Committee last met on March 2 and discussed two items. The Centre Region Planning Director discussed incorporating sustainability into the Comprehensive Plan and the second item was to hear more about the PennDOT regulations related to doing maintenance on storm water facilities on curbed state highways.

Student Representative Report – Mr. Pugh said the UPUA is in the middle of their campaign for their 6th assembly. There are four (4) teams running for President and Vice President and the election will be held on March 30. He said the first debate is scheduled for this evening at 8 p.m. and everyone is invited to attend. Mr. Pugh said he was going to reach out to the International students to see if they are being harassed.

There being no additional items to discuss, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary