

Meeting Minutes
State College Borough Council
Regular Meeting
Monday, June 20, 2011

The State College Borough Council met on Monday, June 20, 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
Theresa D. Lafer
Silvi Lawrence
Peter Morris
Silvi Lawrence

Absent: Donald M. Hahn
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; Beth Johnston, Human Resources Director; Lu Hoover, Senior Planner; Thomas R. King; Chief of Police; Brendan McNally, UPUA Student Representative; Charles DeBow, Parking Director; Norma J. Crater, Accounting Supervisor; Mark Whitfield, Director of Public Works; Amy Story, Borough Engineer; and interested members of the media and concerned residents.

Public Hour - Hearing of Citizens

Mr. Morris said a few words about a lifelong peace activist and Foxdale resident, Reed Smith, who died last week. He said Mr. Smith will be missed by all who knew him and what he stood for.

Consent Items

Ms. Lawrence made a motion to approve the following consent items. Mr. Filippelli seconded the motion.

- Approve the minutes for the following meetings held in April and May 2011:

April 25, 2011	Special Meeting
May 2, 2011	Regular Meeting
May 9, 2011	Special Meeting
May 9, 2011	Work Session
May 16, 2011	Regular Meeting

- Approve the use of streets in the downtown for the Summer’s Best Music Fest on Saturday, June 25, 2011, for the following streets during the hours listed:

<ul style="list-style-type: none"> • Allen Street between College and Beaver Avenues 5:00 a.m. to 10:00 p.m.
<ul style="list-style-type: none"> • Calder Way between Garner Street and Allen Street 7 a.m. to 10:00 p.m.
<ul style="list-style-type: none"> • Hiester Street between College Avenue to Wilson Alley 6:00 a.m. to 10:00 p.m.

- Appoint Tom Daubert as the Borough’s alternate voting delegate for the PA League of Cities and Municipalities 112th Annual Convention being held in June.

The motion passed unanimously.

General Policy and Administration

Fair Housing Ordinance Amendment. Ms. Lafer made a motion to approve the Fair Housing Ordinance amendment, which included a provision for mediation. Mr. Filippelli seconded the motion.

Ms. Joanne Tosti-Vasey, President of the National Organization for Women (NOW), thanked Council for amending the ordinance. She said NOW appreciates the changes to the mediation portion of the ordinance.

Council voted unanimously to approve Ordinance 1969.

Pension Ordinance. On a motion by Mr. Filippelli, and a second by Ms. Lafer, Council voted unanimously in a roll call vote to approve Ordinance 1970.

Planning and Community Development

Consolidated Plan Amendment. Ms. Lafer made a motion to approve the 2011 Consolidated Plan Amendment as recommended by staff. Mr. Morris seconded the motion, which passed unanimously in a roll call vote.

CVS Conditional Use Permit Application at 1630 South Atherton Street. Council reviewed the decision for the CVS Conditional Use Permit Application. Mr. Filippelli made a motion to approve the decision for CVS Pharmacy. Ms. Lafer seconded the motion, which passed unanimously.

South Allen Street/Nittany Avenue ADA Ramp Upgrade Project. Staff explained this item was added to the agenda on Monday. Staff asked Council to award the South Allen Street/Nittany Avenue ADA Ramp Upgrade (Project #10-2011-CDBG) at this meeting in order to have the project finished prior to student move in.

Mr. Filippelli made a motion to award the base bid and Alternate A – Corner 1 for the South Allen Street/Nittany Avenue ADA Ramp Upgrade (Project #10-2011-CDBG) to Stone Valley Construction Inc., the low responsible bidder, for a total amount of \$52,508.00, contingent

upon the receipt of the HUD Contract, and to disqualify the bid submitted from Bange's Masonry because of the lack of a valid bid bond. Ms. Lafer seconded the motion.

Council members raised questions about the alternate bids for Corners 1, 2, 3, and 4. Staff explained that some intersections require more modifications to make them ADA compliant.

Mr. Daubert asked if there is anything in the Borough's contract that requires a contractor to complete the necessary work by a certain date or lose money. Staff said there is a 30-day deadline and liquidated damages if a project is not completed within 30 days.

Council voted 4-0-1 to approve Project #10-2011-CDBG. Ms. Lawrence was not present at the time the vote was taken.

Official Reports and Correspondence

Regional Liaison Reports. Human Resources – Mr. Daubert reported that the Human Resources Committee met and discussed a COG Administrative employee who is currently employed part time and making it a full-time position. They also discussed the difference between exempt and non-exempt employees. Mr. Daubert also reported that Greg Roth, the Parks Supervisor for 33 years, recently retired and the preferred candidate picked to fill his position declined the offer and the Centre Region Parks and Recreation Director will start the search again.

Staff & Committee Reports Staff reported the PA Liquor Control Board (PLCB) recently rendered its decision on the Borough's petition to assume local enforcement of the Noise Ordinance. The PLCB entered its decision on June 15, 2011 and it will remain in effect thru December 13, 2012. Staff noted that sometime next fall Council will need to re-evaluate the waiver and make a determination on whether or not Council wants to request an extension.

Staff represented an updated on the status of the IT 111 – Enterprise Resource Planning System. Mr. Dunlap explained staff will be entering into negotiations with the preferred vendor shortly and staff is hopeful a recommendation will be available for Council to award the project sometime in July. He added that Borough staff and representatives from COG agencies have been involved throughout the process.

Council members asked if this IT 111 Project would benefit COG agencies and the library and if so, how much they will be paying for the project.

Staff said the Borough would be sole owner of the system; however, the Borough would offer its services to the COG agencies, since COG and the other townships offer the same service and require the same technology needs. It is the Borough's intent to offer the proposal to COG to provide the technology and software to them; however, at this time there are no agreements in place for the use of the proposed system.

Ms. Story provided an update on the Fraser Street Realignment Project. She said construction started last Friday and the contractor is Anthony Bianno from Pittsburgh. Ms. Story said she has requested the contractor provide the Borough with a project schedule, with updates regularly. She noted that the project got off to a rocky start last Friday when the contractor accidentally misread the plans and removed seven trees along West Beaver

Avenue. Ms. Story said the contractor will be responsible for the replacement of those trees and staff believes the replacements will be incorporated in locations that will provide both a better design and expansion. An open house was held almost a year ago to provide information to business owners, property owners, residents, staff, etc. and a second open house is planned for Monday, June 27 at 4:30 p.m. Ms. Story said the contractor is more than willing to meet with business owners and residents to meet their needs to make them easier.

Items of Information

Mr. Filippelli said there is a webinar tomorrow entitled "How to Manage Off-Campus Parties" and he asked Mr. McNally if he planned to attend. Mr. McNally said he was unaware of the webinar but was available to attend.

Staff said Penn State staff, Borough staff, representatives from the Highlands, Holmes Foster, and College Heights neighborhoods and student leaders were also invited to attend. Staff said they would share the information presented at the webinar with Council following the webinar.

Mr. Daubert said he was recently approached by someone asking what the Borough's colors are. He said he was also asked what are the Borough's flower, bird, animal and tree. He said he told the person he would share the information with Council.

There being no additional business to discuss, the meeting adjourned at 8:17 p.m.

Respectfully submitted,

Sharon K. Ergler
Assistant Borough Secretary