

Meeting Minutes
State College Borough Council
Work Session
February 13, 2006

The State College Borough Council met in a work session on Monday, February 13, 2006, in the State College Municipal Building's Council Chambers, 243 South Allen Street, State College, PA. Ms. Dauler called the meeting to order at 7:30 p.m.

Present: Bill Welch, Mayor
Catherine G. Dauler, President of Council
Thomas E. Daubert
Ronald L. Filippelli
Elizabeth A. Goreham
Donald M. Hahn
Craig R. Humphrey
Jeffrey R. Kern

Also present: Thomas J. Fountaine, II, Borough Manager; Thomas R. King, Chief of Police; Carl Hess, Planning Director; Mark Whitfield, Public Works Director; Amy R. Miller, Recording Secretary; State College Planning Commission members; members of the media; and other interested observers.

Public Hour. Robert Rightmyer, 785 Walnut Spring Lane, addressed Council on the Walnut Springs Park Wetland. He thinks that the consultant's wetland design for Walnut Spring was not working as originally discussed during the planning stage. Mr. Rightmyer also thinks that maintenance is a problem. He noted that the Borough repairs in the wetland have resulted in major design changes. Mr. Rightmyer was also concerned that the natural bird-watching and hiking trail that has existed for over 25 years along the property line has been removed. He is bothered by the fact that no money has been spent by the Borough, College Township, or Parks and Recreation to maintain the natural trail that is used by many people. Mr. Rightmyer requested answers from Council immediately; Mr. Fountaine replied that he would provide answers at a later time.

Bob Balonis, 525 East McCormick Avenue, asked Council if money from the sale of the old municipal building would be put back into the General Fund. He also asked Council how much the property is worth; he felt the residents should know. Mr. Fountaine responded that the Borough has an appraisal on the property to establish a value, but that information is not public. Mr. Fountaine also stated that the Borough Council would have to approve the sale of the property in a public meeting.

Mr. Balonis then asked Council how items are chosen for agendas. Council replied citizens can make a request to any Council member and then the item can be put on an agenda.

Act 537 Plan. Bob Crum, Centre Region Planning (CRPA) Director; Jason Wert, Project Manager with Herbert, Rowland & Grubic; and Cory Miller, University Area Joint Authority (UAJA) Executive Director were present to field questions regarding Draft #1 of the *Centre Region Act 537 Sewage Facilities Plan Update*, which was presented in detail on December 20. The plan was also presented to the region's Planning Commissions in January. Council's comments on the Plan should be forwarded to the COG Executive Director by March 17, 2006. Mr. Fountaine reviewed a staff memo that was distributed to Council, along with Planning Commission Comments on the Act 537 Plan, Draft No. 1.

Mr. Crum stated Act 537 is a state law requiring evaluation of sewage facilities, expected growth, and projected facility needs for the future. He said an important issue for the Borough is that a portion of the Borough's waste water is treated at Penn State's Waste Water Treatment Plant. In 1990, the original plan stated that eventually one million gallons of the Borough's daily flow would be slowly diverted in three phases from Penn State's treatment plant to UAJA. Currently, only one-third has been diverted. The Department of Environmental Protection (DEP) is asking for a projected timeframe when the remainder of flow will be diverted. Mr. Fountaine noted that the Borough Council was given a copy of the agreement which states UAJA would treat all flow until September 2020. Penn State has projected that the Borough will reduce flow to the University's plant each year for five years beginning in 2011 and that there would be no Borough flow to the plant by 2016, resulting in a nine percent increase in cost for Borough customers.

Mr. Crum said the second item for discussion was volumetric billing for the sewer service. Mr. Crum explained the difference between billing based on equivalent dwelling units and billing based on water usage. The Borough is asking UAJA to bill on water usage. Mr. Miller said volumetric billing is not an Act 537 issue; rather the Act 537 plan addressing system capacity. However, if volumetric billing relates to capacity then it can be included in the plan. Mr. Miller noted that the Borough's assertion that volumetric billing will result in conservation is unproven. Mr. Whitfield responded that water consumption decreased in the Borough by 17% after volumetric billing was initiated. Mr. Fountaine also noted the Borough staff's comment on

volumetric billing was related to an equity issue. He stated that volumetric billing would result in customers paying for only what they use.

Also discussed was whether or not the existing sewer collection system has capacity to support build-out allowed under current zoning. Council decided the plan should include how requests for zoning changes should be handled with regard to the regional growth boundary.

Ms. Dauler asked if Planning Commission representative had any comments. Mr. Madrid noted that the Planning Commission comments were addressed in the memo that was distributed to Council.

Council agreed to include the staff and Planning Commission comments on the next Council meeting agenda for approval.

Staff Report – State College Area Plan Progress Report. Mr. Crum provided a brief progress report on the status of the State College Area Plan that will be initiated later this year in cooperation with College and Ferguson Townships. The objective of this plan is to prepare a land use plan and goals that will serve as the basis for developing a new zoning, subdivision and land development ordinance.

Council discussions suggested two issues of concern. The first issue was the size and composition of the steering committee. Mr. Daubert felt that a 23-member committee was too large to function effectively. Ms. Dauler said the strategic plan's vision included anyone who was interested in the downtown's outcome; the more stakeholders involved the more it would mean to the downtown. Mr. Kern agreed. Mayor Welch said a balance of members from the other municipalities is important. Mr. Crum said a decision on the steering committee was needed within the next 2-3 weeks.

The second issue was the appropriateness of including the downtown and urban village as part of the study area. Council's concern focused on the interrelationship between on-going planning activities in the downtown and urban village and the work that will occur during the planning process of the area plan. Council did not want the area plan development process to delay work already underway in downtown and the urban village. Once Council has completed its comments on the draft, Borough staff will work with the regional staff to begin organizing the steering committee and prepare for the project kick-off meeting.

CASE Presentation for Non-Profit Building. On behalf of the Board of the Collaboration of Arts, Social Services and Education (CASE), Debbie Klevans explained the partnership of local non-profit organizations. Currently CASE is conducting a feasibility study to determine their needs and a location for a facility. One facility would serve multiple groups and benefit the partners as well as the community in numerous ways, such as improving community outreach and enhancing town and gown relationships. CASE's next step is to complete the feasibility study, select a site, obtain sufficient funding, and complete the building design.

Keep State College Safe and Free. Nancy Kranich, member of the Centre Region Bill of Rights Defense Committee, explained that the organization was a group of citizens who came together to address concerns regarding threats to Constitutional rights and civil liberties, while protecting the nation from terrorist attacks. She stated that although the Patriot Act is intended to keep citizens safe, the Act also allows the government to search homes and collect information on personal business, books read, phone calls, e-mail and websites visited. Ms. Kranich expressed the opinion that the Patriot Act violates civil liberties under the 1st, 4th, 6th, and 14th Amendments. Ms. Kranich said the Committee is asking for a local resolution to affirm the community's strong resolve to fight terrorism while preserving freedoms of speech, religion, privacy and protection from unreasonable searches. The Committee focuses on educating the community on the Bill of Rights and protecting legal rights. Ms. Kranich noted that if Council passes the resolution, the Borough would be joining over 400 communities across the nation expressing concern that the Patriot Act threatens civil rights and liberties.

Council agreed to include the resolution for vote on February 21 Council agenda.

Centre County Long Range Transportation Plan. At Council's request, Trish Meek, COG Transportation Planner, presented the Centre County Long Range Transportation Plan. She said that a long-range transportation plan is required as part of the Federal highway funding process.

Two documents were discussed. The first was the *State College Borough & Surrounding Area Candidate Projects – Long Range Transportation Plan 2/7/2006* which lists projects that are either located in State College Borough or have an impact on the Borough. The second document discussed was the *Revised Draft Candidate Project Master List 2/7/2006* sorted by rank that was amended by the Centre County Metropolitan Planning Organization (CCMPO) on January 24, 2006.

Mr. Daubert stated that he thought cost estimates for projects in the plan were extremely high. Ms. Meek replied that project estimates are prepared based on complete costs of the project, including right-of-way acquisition, design costs, environmental clearances and other preconstruction costs.

Ms. Goreham asked if municipalities would be asked to contribute 20% for each project. Ms. Meek answered, "No"; if a municipality was contributing to a project, the project received extra points in the ranking. Mr. Zilla said a municipal match of funds was not required, but any contribution would be a benefit. Mr. Fountaine said funding of projects was not the focus at this time; rather, the task was to set project priorities. Ms. Meek added regardless of how projects are funded, federal law states that all transportation projects with regional significance must be listed on the Plan.

Ms. Dauler questioned the West Park Avenue Project. She asked if adding turning lanes would mean taking land, houses and/or trees. Mr. Zilla said at this planning stage, it was difficult to determine what property would have to be taken. He noted that if the intersection at West Park Avenue and Atherton Street is to be improved, it must be included in the plan. Determination about the scope of the project would be made later, including decisions about proceeding with the project.

Council noted that the title of Project 120 should be changed to reflect that Whitehall Road would be widened only to the intersection of University Drive to add a turn lane. The turn lane would then be constructed on University Drive to the intersection at S. Atherton Street.

Council requested a copy of the current Transportation Improvement Plan (TIP) list; Ms. Meek agreed and said Council should have been provided the TIP information.

Council agreed to submit their comments to the Manager who will prepare a priority list for Council to consider at their meeting on February 13th.

Support of Clearwater Conservancy. Clearwater Conservancy requested Council's support for the application of a grant to the Pennsylvania Department of Environmental Protection's Growing Greener Program. Council supported the application.

There being no further business Council adjourned to an executive session at 10:02 pm.

Respectfully submitted by:

Cynthia S. Hanscom
Assistant Borough Secretary