

**Meeting Minutes**  
**State College Borough Council**  
**May 8, 2006**

The State College Borough Council met in a work session on Monday, May 8, 2006, in the State College Municipal Building Council Room, 243 South Allen Street, State College, Pennsylvania. Ms. Dauler called the meeting to order at 7:30 p.m.

Present: Catherine G. Dauler, Council President  
Thomas E. Daubert  
Elizabeth A. Goreham  
Donald M. Hahn  
Craig R. Humphrey  
Jeffrey R. Kern

Absent: Ronald Filippelli

Also present: Thomas J. Fontaine, Borough Manager; Thomas S. Kurtz, Assistant Borough Manager; Carl R. Hess, Director of Planning; Michael S. Groff, Finance Director; Amy J. Story, Borough Engineer; Mark A. Whitfield, Director of Public Works; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested members of the public.

Public Hour - Hearing of Citizens: There were no citizens present wishing to speak.

**Open Agenda.** Mr. Fontaine noted the open agenda is an opportunity for any member of Council to raise an issue that is not already scheduled on this or a future agenda.

Mr. Hahn asked the utility of the roll call. Ms. Dauler believed it was a formal beginning to the meeting and as President of Council she would like to start meetings this way.

Mr. Humphrey noted that the growth boundary discussion was initiated in February of 1998 at with the Centre Region Council of Governments and in September of 1998 the General Forum voted to send the urban growth boundaries back to the municipalities but nothing was done after that. Mr. Whitfield indicated that the Act 537 plan is updated every 10 years. The last update was in 1996. There was some discussion in 1998 about extending the growth boundaries but the issue did not come back for discussion until the current Act 537 update.

Mr. Daubert noted the extension of the amount of time for the open agenda was not a standing rule; therefore, the amount of time dedicated to the open agenda could not be extended by a two-thirds vote of Council. Mr. Hahn said it was his impression that Council follows Roberts Rules of Order which allows for time limits to be waived by a two-third majority vote. Mr. Daubert said that may be the case but it was not adopted as a policy by Council.

Mr. Daubert also noted that Council had appointed a committee for zoning recodification but he would like Council to provide input as to that committee's charge. He believed it was Council's role to determine the scope of the recodification and which areas should be considered.

Mr. Daubert noted that a discussion of a citizens' advisory committee for finance was listed on Council's agenda but suggested staff not spend time on formulating a plan for this committee. Many Council members feel that financial policy of the Borough is Council's primary job and may not agree with the formation of a committee. Mr. Hahn noted this was a suggestion he had made and hoped that staff had not spent time working on this item. Mr. Fontaine indicated that staff was waiting for guidance from Council before proceeding.

Mr. Daubert noted that there were many issues not included on the list. Ms. Dauler indicated she had met with each Council member separately and several items were added to the list of items to be discussed in the future. She questioned what items were not listed. Mr. Daubert said the list was complete but further discussion was not listed in future meetings.

Ms. Goreham asked if Council would be interested in a joint effort with a standing committee associated with Saint Andrews Episcopal Church on promoting planet protection. She believed there was more that could be done in addressing environmental concerns at the local level through green design. She asked if Council would be interested in a 30-minute presentation at a work session. Mr. Humphrey agreed and suggested that CATA be involved. Mr. Hahn noted he had attended a bus tour conducted by the Penn State University for new buildings, many of which were certified by LEED. The tour was productive in showing how buildings could be made more eco-friendly. He agreed that Council could be doing more. Mr. Welch asked if there was a policy or legislative goal. Ms. Goreham suggested Council could establish a policy in the Borough to encourage green certification.

**Centre Area Transportation Authority (CATA) Budget and Report.** Mr. Fontaine reminded Council that, at the Centre Region Council of Governments General Forum meeting of April 27, 2006, the General Forum referred the 2006/2007 CATA budget to the participating municipalities for review and comment. The COG Finance Committee is asking for comments by May 8.

Council should discuss the budget and forward comments to the Finance Committee. Both Hugh Mose, Executive Director of CATA, and Kathryn R. Bittner, the Borough's representative on the CATA Board, were in attendance.

Mr. Mose summarized that the proposed budget maintains the status quo with a small increase in service. He noted the past six years CATA had seen small reductions in service because of budget constraints.

Mr. Kern noted this Council encouraged using the COG formula rather than Miller formula. Mr. Mose replied the Miller formula was being used to determine the municipalities' shares. Mr. Groff noted that this year there would be a reduction in the Borough's share if the COG formula were used. This is different than in previous years where the COG formula would have caused a slight increase in the Borough's share. Mr. Daubert reported the COG Finance Committee was not willing to discuss using the COG formula for the CATA budget.

Ms. Goreham asked about funding through the state. Mr. Mose indicated the Funding Reform Commission will be meeting to prepare a report by November 15 to create a line item in the Governor's budget. He predicted the Committee will present a new approach for funding transportation systems.

Mr. Hahn noted there were some routes that have a low number of fare passengers. He asked if there was a formula used to determine when the benefit provided to certain parts of the community would be too costly. Mr. Mose replied that they have historically kept a minimal service – this is a policy. Service in corridors where ridership is low is continued because of the wishes of the municipality and the fact that the municipalities provide funding for those routes that cannot be maintained through fares.

Ms. Bittner provided information as part of the CATA annual report. She noted that there would be a service expansion this year and that ridership is up because of the higher cost of gasoline. From March 2005 to March 2006, there was a 6 percent increase in cash paying riders. The Borough, CATA, Penn State University and the Downtown State College Improvement District continue to come up with ways to buy down the cost in order to introduce new riders. Ms. Bittner also reported they had received two free buses from a transit system in New York, which were refurbished and put into use. She also reported on the advanced public transportation system project which would add hardware and software upgrades for an automatic vehicle location system and automated announcement of stops. She noted that the Board continues to work on the transit center at Penn State University. Also, improvements to the bus stop at the rear of Pattee Library should be complete in 2007. Ms. Bittner also reported that CATA had joined the Regional Technology Coalition. Mr. Daubert congratulated staff on coming up with contracts for low fuel costs.

**Transportation Commission Report.** Chris Falzone, Chair of the Transportation Commission, presented Council with a report on their work. The Commission had stalled in their work on the street reclassification because of the possibility of a new zoning map being done. Commission members were reserved in pursuing the street reclassification of streets if zoning were to change. He asked Council if the Commission should proceed. Mr. Kern did not believe that zoning would change. There may be some discussion about land uses but the purpose of the zoning rewrite was to make the information more user friendly with fewer contradictions. Mr. Fountaine agreed that the land use analysis would reflect the existing residential pattern.

Council discussed the street classification system and suggested the Commission proceed with the review and come up with a simplified system without strict thresholds that would need to be met before corrective measures were taken.

Some discussion took place on bicycles. It was mentioned that a grant was received to fund the east/west bike route. Ms. Goreham felt the bike paths, safety and the need for more bike racks were important issues that should be addressed by the Commission. Mr. Whitfield reported the Commission had selected several sites in the downtown for bike racks and would be working toward sharing the cost of the racks with the bike coalition and Downtown State College Improvement District.

**Affordable Housing Report.** Mr. Hess presented a report on the Borough's efforts to address affordable housing needs. Affordable rental housing is available through several apartment buildings and a townhouse development for which the Borough provided funding assistance. These include Bellaire Court, Arnold Addison Court, Yorkshire Village Apartments and Waupelani Heights, which together provide 183 units of affordable housing.

Assistance to first-time home buyers is provided directly by State College Borough through a down payment and closing cost assistance program for low- and middle-income buyers. To date the Borough has assisted 33 households. The Borough also provides funding to two non-profit organizations, Temporary Housing Foundation, Inc. and the State College Community Land Trust, to purchase, rehabilitate and resell houses to income-qualified buyers. To date there have been 37 households assisted.

State College also operates an owner-occupied rehabilitation program to provide assistance to income-qualified homeowners who cannot afford to make repairs to their homes. Homes are renovated to meet code standards and to improve energy efficiency. To date, 22 households have been assisted since 2001.

Mr. Hess concluded that since 1978, a total of \$6.3 million in federal, state and local funds have been used to provide 272 units of affordable housing in State College Borough. These funds have leveraged over \$22.1 million in private funds. The cost to State College tax payers totaled \$563,679.

Mr. Humphrey noted that the land trust claims that it is the only affordable housing program that contributes to housing stock by limiting the equity that a homeowner can take from the home. Mr. Hess said there are other models that can be used such as a shared equity program. Mr. Humphrey noted that what the Borough is doing for affordable housing is astounding. Mr. Hess agreed that the Borough is doing much for affordable housing. He noted that this Council has been supportive of the programs in place. He added that there was a team effort involving other non-profit agencies.

Mr. Kern said there has been \$29 million total spent for 272 units, which comes to \$106,000 per unit. In today's market that is reasonable but in 1975 when Bellaire Court was built that was very expensive. He questioned the efficiency and effectiveness of the programs. Mr. Hess explained that if Bellaire was removed in 1975, there has been \$28 million spent for the other 254 units. This means that the Borough has spent about \$110,000 per unit, which is reasonable for this decade.

Mr. Kern noted the Habitat for Humanity has indicated that they cannot complete a housing project in the Borough because the land is too expensive. Mr. Hess agreed; he noted that land acquisition costs are higher in the Borough which makes it more difficult. The County has never done a project in the Borough or the Centre Region.

**Centre Region Act 537 Plan.** Mr. Fontaine reminded Council that COG General Forum was unable to come to an agreement on the extension of the Regional Growth Boundary/Sewer Service Area for five properties located in College, Patton and Ferguson Townships at their last meeting. The extensions are part of the 537 Sewage Facilities Plan. As part of the planning process, the General Forum and the municipalities have narrowed the initial list of 26 proposed extensions to five properties. The CRPA is recommending inclusion of these five areas and adopting an implementation agreement for future rezonings. He noted that Council should offer comments on both the five extensions and the implementation agreement.

Council discussed the five parcels and addressed the following concerns:

Piper – Patton Township parcel – Council discussed the types of soil and the problems associated with private septic systems.

Geisinger – Patton Township – It was noted that the type of soil can be problematic with private septic systems.

Rogers Shiloh – College Township and Clair Shiloh – College Township – It was noted that ground water pollution is a hazard. Because of the location of the land, it was suggested that Benner Township be permitted to comment on rezoning requests.

Whitehall Road – Ferguson Township - Council discussed their opposition to the rezoning. It was noted that extending the sewer service area would encourage development to proceed. However, if development proceeds without extending the sewer service area, it could have a negative impact on the environment. The State College Borough Water Authority has already indicated that the adjacent 600 acres of land is a recharge area and on-site septic systems could be detrimental. It was noted that an extension of Blue Course Drive to Route 45 through this area could have negative impacts on the environment, although it may help to alleviate traffic in town. Concerns were expressed on the additional costs that would be borne by the Borough in both sewer service and traffic. All Council members agreed that development proposed outside the growth boundary should have a more stringent review process.

Robert Crum, Centre Regional Planning Agency Director, noted the parcel in question was located in Ferguson Township but was adjacent to Borough land already zoned for multi-family development. The rezoned land could contain 160 units. The property is located along Whitehall Road, which is appropriate. Council members agreed it was best to manage access on Whitehall Road to provide cohesive storm water management.

Mr. Daubert asked if they could connect to our system without the Borough's permission. Mr. Fontaine explained a capacity analysis would have to be done and the additional capacity would not be approved until the study was done. He noted that the sewage issues would not be studied until plans are submitted. The developer would be required to prepare the analysis. Mr. Whitfield noted that he would see the proposal for the module and make a recommendation to the treatment plant.

Council also talked about traffic impacts for this site. Mr. Fontaine noted a traffic impact analysis would need to be done but it would only speculate on how traffic would move. Whitehall Road is more of a direct route into town but trip generation would be difficult to determine. He noted the Borough has worked well with Ferguson Township for a signalized intersection at Blue Course Drive and hoped that any development of the site could be coordinated.

**Process for Correcting Building Scale Ordinance.** Mr. Fontaine noted Council received and ordinance at their May 1 meeting to correct the February 21 building scale amendments to the zoning code. This amendment would repeal those parts of the ordinance that regulate scale for dwellings. This ordinance was prepared by staff after discovery of potentially overreaching impacts of the building scale regulations on dwellings in the R-1 and R-2 zoning districts. Council scheduled a public hearing on the ordinance and authorization to publish notice of its intent to enact on June 5, following the public hearing. The ordinance has been sent to the planning agencies for the thirty day review period, and Council asked the Planning Commission to review the issue and complete a more thorough analysis of the impact of this regulation. Staff discovered the residential scale problem when two permit applications were filed for additions to single family homes. Neither application was permitted under the new ordinance. Staff did not believe that it was Council's intent to enact an ordinance that seemed to work against one of the Borough's primary goals of attracting new homeowners to the Borough. Mr. Fontaine indicated that Council will hold a public hearing and enact the amendment on June 5. This amendment is expected to be in effect only until the Planning Commission can prepare a revised ordinance to more properly address building scale for both residential and non-residential buildings. This will also allow staff to legally issue a permit for the existing residential applications. Mr. Daubert asked the Planning Commission report back to Council no later than September 1.

There being no further business, the meeting adjourned at 10:10 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary