

**Meeting Minutes**  
**State College Borough Council**  
**Work Session**  
**June 12, 2006**

The State College Borough Council met in a work session on Monday, June 12, 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 7:32 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 S. Kurtz, Assistant Borough Manager; Thomas R. King, Chief of Police; Carl R. Hess, Planning Director; Mark A. Whitfield, Public Works Director; Amy R. Miller, Recording Secretary; Herman L. Slaybaugh, Zoning Officer; Michele Nicolas, Director of Human Resources; Eric L. Brooks, Operations Manager; members of the media; and other interested observers.

**Public hour.** There were no comments from the public.

**Open agenda.** Mr. Fountaine asked Council for discussion items not on the agenda. He also distributed for Council's review information on a cable franchising bill which the House of Representatives passed but the Senate had not yet acted on. Mr. Fountaine will prepare a letter for Ms. Dauler's signature to communicate with lawmakers about statewide franchising.

Ms. Dauler announced that a work session will be conducted on Friday, June 16 at noon to review financing issues for the Fraser Center and community economic development funding.

Mr. Humphrey said that the Centre Region Parks and Recreation Authority will present a report at its meeting of July 10 on refurbishing Park Forest pool. Four options will be presented. It was Mr. Humphrey's understanding that the more money spent the better the pool will be in terms of usage.

Mr. Daubert said one item he felt should be added to a future agenda was the ability to use one's own influence as a Council member when one feels strongly on issues not controlled by an ordinance. For example, he thought Council members should be able to speak out on the demolition of two houses on Garner Street for a church parking lot. Mr. Hahn agreed but added that it was unfortunate parking in the area of the Lutheran Church is limited; Council should be sensitive to the Lutheran Church's needs for parking. Mr. Kern said there is a need to keep churches downtown; if parking is discouraged, then the churches will be discouraged to stay downtown. Mr. Kern suggested Council approach the Lutheran Church to move the project forward positively.

Ms. Dauler suggested a report from the Emergency Management Council be added to a future agenda. Mr. Fountaine said a report will go to COG and then presented to Council. Mr. Fountaine also asked Mark Henry to brief Council on the activities of the Flu Pandemic Planning Committee at a future work session.

**Food Waste Composting.** The Pennsylvania Department of Environmental Protection (DEP) has been discussing with Public Works staff, Centre County Solid Waste Authority, and the Penn State agriculture department a potential municipal food waste compost demonstration project for the Borough. DEP announced a grant opportunity which would assist in funding the demonstration project. Ms. Joanne Shafer, Centre County Recycling Coordinator, asked Council for questions regarding the proposed composting program.

Mr. Daubert asked for clarification on the type of waste in question. Ms. Shafer answered the greatest waste potential comes from the commercial section, such as grocery stores and restaurants. She felt that 60 percent of the Borough recycling comes from commercial properties, while about 40 percent is residential. Mr. Kern said more households should be encouraged to compost.

Mr. Whitfield added that compost material would be collected on a voluntary basis for the demonstration project. From the data collected, it would be determined how much is organic and how much can be used. He said there are different collection methods, from plastic containers to biodegradable bags, whichever is most convenient for the consumer in order to get them to recycle. He explained that part of the demonstration program involves testing to find out what methods work. Ms. Shafer added that as part of the study, deciding what to compost will also be determined. Ms. Shafer said two pilot neighborhoods would be chosen for the study with participation based on the recycling levels, but the residents should also agree. The education part of the project has yet to be developed.

Ms. Dauler said if DEP is willing to fund the demonstration project, the Borough should participate.

**Report from Design Review Board.** Kevin Gombotz, Chair of the Design Review Board (DRB), reviewed some of the recent highlights of the DRB's activity. The Board has reviewed a wide range of projects, from Penn State's new law center to an elevator shaft at PNC Bank's downtown location. The Board has also been updating a 'design guide' for the Borough. Mr. Gombotz said it is the DRB's hope that the 2007 budget will allow a part-time assistant as well as a Penn State student intern to assist with the workload.

**CDBG 2005 and 2006 Consolidated Plan Amendments.** At its May 11 meeting, the CDBG Citizens' Advisory Committee unanimously recommended approval of two consolidated plan amendments. The first is to reprogram \$18,814 in 2005 and 2006 HOME funds from the Temporary Housing Foundation Rental Rehabilitation project to the Temporary Housing Foundation First Time Homebuyer project. The second amendment is to reprogram \$13,969 of CDBG human services funds from Stormbreak Girls Group Home to Burrowes Street Youth Haven. Council had no comments on the amendments and will place the amendments on their June 19 meeting for approval.

**PLCM Resolutions.** The Pennsylvania League of Cities and Municipalities Resolution Committee will meet at their annual conference next week to discuss various resolutions to be forwarded to state legislators. Council was asked to review the resolutions and provide comments to the Borough's representative on the Committee. Mr. Daubert felt there were no concerns. Mr. Kern would like to see a way to obtain tax from liquor stores. He estimates about \$2 million could be obtained from liquor store sales.

**Alcohol Related Issues.** Bill Welch, Co-Chair of the Campus & Community Partnership United Against Dangerous Drinking introduced Bill Mahon, also Co-Chair, who made a presentation to Council on the effects of dangerous drinking and initiatives taken to reduce dangerous drinking. Other members of the Partnership also present were Tom Fountaine, Chief King, Dennis Heitzmann, and Linda LaSalle.

Mr. Mahon said the Partnership started 8 years ago after the first riots in downtown State College. Dangerous drinking is a major problem in the community as well as throughout the state, resulting in many assaults and fights. Almost half a million of Pennsylvania's children drink and national statistics show that half of high school seniors drink. Mr. Mahon stated that Penn State University is one of the first institutions to publicly and aggressively take action on the issue of dangerous drinking.

Mr. Mahon explained there were new challenges facing the community which included a fourth State Store open in State College, local State Stores and beer distributors open on Sundays, a half dozen new liquor establishments in the State College area and the fact that bottle shops do not have to sell food on Sundays. He added that there is a need to change the laws for promotions and drink specials offered by establishments; issues such as free beer, five cent drafts, and \$10 open bars contribute to dangerous drinking and are sources for underage drinking.

Mr. Filippelli asked the Police Department's penalty for underage drinking. Chief King said the fine amounts are set by the state, with some discretion on the part of the magisterial judge, but can be up to \$300. A first time offender can be subject to \$150 to \$200 fine which can include disorderly conduct and/or public drunkenness.

Mr. Daubert asked for explanation on procedures when someone is cited. Chief King said a citation is issued firsthand and the person signs acceptance. The next day charges are filed with the district judge and then the information is released to Penn State's Office of Judicial Affairs. If the person is taken to the hospital because they are incoherent, the citation will be mailed to them as well as to Penn State's Judicial Affairs. Mr. Fountaine stated that Joe Puzycki from Penn State's Office of Judicial Affairs will be invited to address Council at a later date as he was unable to attend tonight's meeting.

Mr. Heitzmann added that once sanctions come through the Office of Judicial Affairs, students are provided three levels of alcohol interventions based upon new or repeat offenses. Chief King explained that by law, the Office of Judicial Affairs is required to contact parents of underage drinkers. However, they are not required to notify parents of citations for public drunkenness of students 21 or over.

Council members agreed that a major influence was underage students placed in dormitories with students of age who provide them alcohol and encourage underage drinking. In addition Council felt that freshman students arrive in town too early and are left with free time which also encourages partying. Chief King confirmed that freshman do arrive about six days early; however the Police Department does have extra staff on patrol. Ms. Goreham reminded the Partnership to be prepared for the extraordinarily large upcoming freshman class. Ms. LaSalle agreed to provide Council with the information packet that is provided to first year students.

Mayor Welch said the university is currently looking into the question of why alcohol is allowed in the dorms. He added that alcohol is not stoppable, but things can be done in the community. Chief King added that policy changes are needed by the liquor control board (PLCB) to restrict operating hours on St. Patrick's Day, ending drink specials after two hours and having all drink specials end by midnight. He stated that Borough Council cannot restrict operating hours of an establishment; however, every two years liquor licenses are renewed and possibly these issues could be addressed

when a license is up for renewal and conditions set for the renewal. For example, if there is evidence of a bar having continuous problems then the problems could be used as leverage during license renewal.

Ms. Dauler thanked Mr. Mahon for his presentation and added that Council was pleased when the university changed its code of conduct and appreciated Penn State's initiative. Mayor Welch added that memberships in the Partnership are self appointed and encouraged Council members to become members. He is confident that progress can be made toward reducing underage drinking.

There being no further business, the meeting adjourned to an executive session at 9:50 pm.

Respectfully submitted by:

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Cynthia S. Hanscom  
Assistant Borough Secretary