

Meeting Minutes
State College Borough Council
August 21, 2006

The State College Borough Council met in a regular meeting on Monday, August 21, 2006, in the State College Municipal Building Council Room, 243 South Allen Street, State College, PA. Mr. Welch 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; Terry J. Williams, Borough Solicitor; Thomas S. Kurtz, Assistant Borough Manager; Amy J. Story, Borough Engineer; Thomas R. King, Chief of Police; Michael S. Groff, Finance Director; Norma C. Crater, Accounting Supervisor; Timothy Grattan, Information Systems Director; Carl R. Hess, Director of Planning; Mark Henry, Health Officer; Cynthia S. Hanscom, Assistant Borough Secretary; members of the media; and other interested members of the public.

Mr. Welch began the meeting with a moment of silence and the pledge of allegiance.

PUBLIC HOUR – Hearing of Citizens. There were no comments from members of the public.

CONSENT ITEMS

Ms. Dauler moved and Mr. Hahn seconded the motion to approve the following consent items:

- Approve the use of Westview Avenue for a Block Party on Friday, September 8, 2006, from 4:00 to 12:00 p.m.
- Approve the use of various sidewalks in College Heights for the Farm Sanctuary Walk on Sunday, October 15, 2006, from 1:00 to 4:00 p.m.
- Approve the use of the Municipal Building plaza for the anniversary celebration of the State College Community Land Trust on Tuesday, October 10, 2006, from 9:30 a.m. to 2:00 p.m.
- Approve Vouchers for the month of July 2006 for the Borough in the amount of \$3,287,173.85 and, as agents for the Centre Region Council of Governments, in the amount of \$665,838.95.

The motion passed unanimously.

REPORTS AND PRESENTATIONS

State College Municipal Wireless Broadband and the Digital Community Project. Mr. Fountaine said that, earlier this year, the Borough, in conjunction with Penn State University, retained Civitium, LLC, a market-leading consulting firm for municipal broadband and digital community initiatives.

Mr. Grattan noted the project scope authorized by Council called for Civitium to evaluate the feasibility of deploying a community wireless broadband network to improve public safety and governmental efficiency, promote digital inclusion for residents and stimulate economic development in the community. He said that Civitium completed their study by meeting with stakeholders, which included the Borough staff, Penn State University, CBICC, Lion Country Visitors Bureau, the local newspaper, students, residents, local businesses and the local library. The main recommendation was to consider a private network model. He introduced Patrick McCamley from Civitium.

Mr. McCamley presented an overview of the wireless study, explaining that communities are recognizing there is a connection between broadband infrastructure and the community well being. Economic development was the overall driving factor. The second factor was to have an efficient government with social inclusion. The policy established was to have a universal and affordable service where service providers can compete. The key recommendations from the proposal were to develop a public-private partnership with the private sector providing the service and the right-of-way provided by the Borough. This would ensure that the Borough could negotiate terms. Using a competitive RFP process would result in identifying a qualified service provider. The largest disadvantage would be that the service would rely on the provider.

Ms. Goreham said this was an exciting opportunity but was concerned about affordability for consumers. Mr. McCamley said it would be set up on an open network that allows for multiple competitors, which establishes rates through market forces.

Mr. Humphrey asked if the network could be brought into homes. Mr. McCamley said it was mainly an outdoor network; the signal could not be transmitted through brick, steel and glass. He added there was a bridge that would allow the signal to be amplified indoors.

Mr. Kern indicated he subscribed to a wireless service and asked how they would compete. Mr. McCamley said the wireless network service would have a greater speed. Mr. Kern asked about the cost and Mr. McCamley replied that it would depend on the market. The wireless network in Philadelphia was about \$16 to \$20 per month.

Mr. Daubert asked how this would benefit the Borough residents. Mr. McCamley said it would provide an alternate affordable low-cost option with universal access. The benefit would be that it would put money in the consumer's pocket.

Mr. Filippelli asked how Penn State University would be involved. Mr. McCamley noted that they had been in contact with Penn State about the project. Mr. Fontaine added that the University has been a financial partner in the project.

Mr. Filippelli asked if State College was large enough to attract competitors. Mr. McCamley said he could not answer that until the Borough solicits private sector proposals. Some smaller cities have considered this as a way to make them more attractive to the business community. He believed there was enough for a robust response to a request for proposal. Mr. Filippelli said there could be very little financial advantage if it the service was a monopoly.

Mr. Daubert asked about the maps that were included in the report. Mr. McCamley said the maps were part of the technical report that studied the radio frequency in the Borough.

There being no further questions, Mr. Fontaine indicated further discussion would be on Council's September 5 agenda.

Renewal of the Downtown State College Neighborhood Improvement District (DID). Mr. Fontaine said when the Downtown State College Neighborhood Improvement District (DID) was established, both the Ordinance and the Plan provided for its automatic termination after a 5-year period on December 31, 2006. The DID may be continued by reenactment of the enabling ordinance and revision of the plan following municipal review. Over the next three months, Council will be asked to approve the amendment to the plan, an ordinance reenacting the DID, and an amendment to the agreement for management services.

Teresa Sparacino, Director of the DID, distributed copies of the renewal plan which highlighted accomplishments over the past five years. She presented a brief overview of the DID, which was a Neighborhood Improvement District governed by a 9-member board with an annual budget of \$430,000. She highlighted many of the downtown programs, including the clean team, the Downtown Safety Enhancement Program, merchant validation, downtown guide and other marketing efforts. She reviewed several of the special events, which included the film festival, fall festival, street bazaars and tree lighting ceremony. Ms. Sparacino also highlighted the economic development efforts to build the Fraser Centre, which would be a catalyst to strengthen the retail market in the downtown. She noted the DID had also received \$25,000 in grant funds to improve sign, façade and lighting in the downtown. A civic Design Committee was working with eight applicants to develop signs that tell a story about the business.

Council members received the report and agreed to schedule a public hearing on September 5.

Historic Transportation Landmarks. Mr. Fontaine noted that the Board of the Centre County Historical Society authorized the creation of a "Train Station" ad hoc committee to determine if there was sufficient interest within the community to save the former Bellefonte Central Railroad train station, which is currently being used as a bus terminal for Greyhound and Fullington bus companies. The committee met and determined that a professional paper was needed to tell the story of the Bellefonte Central's State College Station, the State College Bus Terminal and Post House Tavern. The Historic Resource Commission has asked Council to support the recommendations from the ad hoc committee and to consider the relocation of the station and the Post House restaurant.

Mr. Robert Donaldson, Board of Governors for the Centre County Historical Society, thanked Council for the opportunity to talk about this proposal. The Centre County Historical Society created the ad hoc committee charged with the responsibility of determining if the bus station and Post House Tavern had any value to the community. Although both of these facilities could become part of the intermodal transportation center, it did not appear to be of interest. It was also discussed that the site could become a part of the Urban Village revitalization area. There was discussion on moving the building to a more suitable location under a public/private initiative. The ad hoc committee made the decision that it was important to provide a factual background and prepared a document.

Mr. Humphrey asked about the possibility of moving the building. Mr. Donaldson said a contractor experienced in moving buildings had been contacted and made an inspection of the train station. The contractor noted that the structure was a heavy I-beam building with a crawl space underneath, which would allow the building to be moved. It was suggested that it should be moved along the Bellefonte Central right-of-way in the Urban Village area. The cost estimate would not exceed \$28,000 with the assumption that a site is available with a foundation in place. The \$28,000 is simply the moving costs. Mr. Humphrey asked if the width of the building would allow the building to be moved in the street. Mr. Donaldson said the contractor was asked for a price to move the structure along the former railroad tracks to the approximate Sparks Street parking lot location. Ms. Dauler noted that this had been brought up at a previous work session but the public should be aware that the actual location may not be available.

Ms. Goreham said the report provided a good history of the site and encouraged me to work toward saving the buildings. She agreed that the history of the area is embedded in our buildings.

Mr. Kern asked if there had been a survey of public support for the project. Mr. Donaldson indicated the report did not include a survey. With so much growth and development taking place, it was important to retain part of the past. Those who have spearheaded the State Theatre project understand this concept, but it needs to be cultivated in the community. The Historic Resources Commission needs to be educating people of the value of older buildings. He believed the concept could be incorporated into the comprehensive planning for the Urban Village project.

Mr. Daubert asked if Penn State University officials had been contacted. Mr. Donaldson said he had met with one official but it did not appear that the University had an interest in assisting with the proposal to move the buildings.

Ms. Dauler believed this was something that should be supported by Council and she hoped other Council members shared her interest. This Council supported the State Theatre renovations and hoped that they could agree that there could be something that the Borough could do to help.

Mr. Hahn said he agreed but felt it should make sense in a contextual manner as well as economic manner. The timetable for the Urban Village report is months off and believed it would be premature to discuss this in the next month. He asked how long the buildings could be permitted to remain in their current location. Ms. Goreham believed the University was not proposing to use the land for a few years; she noted, however, that could change.

Ms. Goreham moved to schedule this discussion for a future work session. Mr. Hahn seconded the motion, which passed unanimously.

BIDS/AGREEMENTS/CONTRACTS

Auditing Services. Mr. Fontaine said the Borough's professional contract with Maher Duessel of Pittsburgh, PA for independent auditing services for Borough, Authority, Centre Region Council of Governments and Schlow Centre Region Library accounts concluded with the completion of the fiscal year 2005 audits. Maher Duessel has served as the Borough's independent auditor since 1994. Because of the high level of satisfaction with their work, their comprehensive knowledge of governmental accounting standards, and thorough familiarity with our financial operations and accounting systems, staff believes the continuation of our professional relationship with Maher Duessel is warranted.

Mr. Fontaine said staff is recommending that the contract with Maher Duessel for services be extended for a three year term beginning with the 2006 audit. The fee for the 2006 audit will be \$62,200. The annual fee will increase by approximately 4% annually for each year of the engagement.

Ms. Dauler moved to approve the extension of the Borough's professional auditing services contract with Maher Duessel of Pittsburgh, PA for a period of three years. Mr. Humphrey seconded the motion. The motion passed with a 7-0-0 vote.

PLANNING AND COMMUNITY DEVELOPMENT

Urban Village Revitalization Plan. Mr. Fontaine said that Borough Council accepted the Urban Village Market Feasibility Study in December 2005 and instructed staff to begin implementing the recommendations. During the first part of this year, a project scope was developed and approved by Council for the Urban Village Revitalization Plan. Staff then solicited proposals from qualified consultants and a review committee examined the proposals and narrowed the list to four. Those four consultant teams were interviewed by the selection committee. Following the interviews, the selection committee recommended the selection of the Delta/EDSA team for this project, with a fee of no more than \$95,000 for Phases I and II. The scope of Phase III will be determined during the first two phases of the project. Borough Council appointment of a new consultant or reappointment of the Delta/EDSA team will be required before any work begins on Phase III.

Mr. Fontaine reminded Council that they had received this recommendation at their meeting of August 7 but could not come to consensus on awarding the contract. Council continued its discussion at the work session of August 14. Additional information on the selection process and the team qualifications and references was provided to Council. Representatives from the Delta/EDSA team are in attendance should Council have additional questions.

Mr. Kern moved to approve the award of the Urban Village Revitalization Plan contract to Delta/EDSA as specified in the selection committee's recommendation, conditioned upon concurrence from the Department of Community and Economic Development (DCED). Mr. Humphrey seconded the motion.

Ms. Goreham moved and Mr. Hahn seconded a motion to amend the original motion to say that the following seven items be included in the contract developed between the Borough and Delta/EDSA:

1. Borough Council creates the Steering Committee, names its membership and determines size.
2. All property owners receive a postcard inviting them to attend and participate in the Phase 1 public meetings, giving the dates, location and times.
3. Borough Council may have access to the list of stakeholders who have been selected for interviews.
4. Add a second public meeting for input in Phase I before a plan is created, to discuss initial impressions, opportunities and community interest.
5. Add a "Reuse of Historic Structures" segment to include assistance of local historians using the Borough's extensive historic property database.
6. In addition to reviewing ERA recommendations, add the requirement for a brief but specific response to each.
7. At the end of Phase II, add a requirement that the final draft document is to be submitted to "the Borough Manager, Borough Planner *and Borough Council* for review and comments."

Darren Asbury, Delta, indicated he did not have an issue with these seven items.

Mr. Daubert said the proposal does not state that the plan will come up with a recommended series of actions. He did not want to see another laundry list of proposals. Mr. Asbury said they would work with the stakeholders to come up with prioritization of actions.

Council voted on the amendment to the motion, which passed with a 7-0-0 vote.

Mr. Hahn asked that the original motion include a statement that the approval was subject to funding from the Department of Community and Economic Development. Council members agreed.

Mr. Daubert asked if the contract would include recommendations for Phase III. He said he would not want to be limited in what could be done in Phase III. Mr. Fontaine said before any work on Phase III could be done, Council would have to provide authorization.

Council voted 7-0-0 on the motion, as amended, to conditionally award a contract to Delta/EDSA, subject to approval of funding from DCED. The motion passed.

GENERAL POLICY AND ADMINISTRATION

Inclusive Communities Week in the Borough of State College. Mr. Fontaine said the National League of Cities has designated the week of September 25 – 29, 2006, as the Seventh Annual Race Equality and Inclusive Communities Week. As pointed out by NLC President Jim Hunt, the week provides a "time to reaffirm our commitment to eliminating all forms of racism and discrimination in our communities." Borough Council is asked to join other cities and towns across the country in working toward inclusive communities and the elimination of racial and ethnic discrimination.

Mr. Fontaine said that Council also asked to partner with the NLC for Working Toward Inclusive Communities Program. The goals of the Partnership are:

- o Raise awareness and focus attention on the importance and value of inclusive communities.
- o Motivate cities and towns to make a public commitment to building inclusive communities.
- o Provide support to local officials in focused efforts around affordable housing, race and ethnic relations, and equal citizen participation in community decision-making.
- o Share valuable insights, experiences, and lessons learned among the participating cities and towns.
- o Recognize, publicize, and celebrate the work of cities and towns that join the Partnership

Mr. Fontaine noted that Council would also be asked to approve the use of the Municipal Building for a Community Resources Fair on September 27, 2006, from 4:00 to 8:00 p.m., which

is a collaborative effort involving the Borough of State College, Downtown State College Improvement District, Penn State, CBICC, United Way, Leadership Centre County, Global Connections, and the Community Diversity Group. It is an opportunity for local businesses and other community groups to promote their products and services to people who are new to the Centre County, State College and Penn State Community. This fair is free to the public and will offer information on a wide range of resources including cultural, community, health care and employment.

Ms. Dauler moved to approve Resolution 915, designating the week of September 25-29 as Race Equality and Inclusive Communities Week and participate in the National League of Cities Partnership for Working Toward Inclusive Communities; and authorize the use of the Municipal Building for the 2006 Community Resources Fair on September 27, 2006. Mr. Humphrey seconded the motion. The motion was approved with a 7-0-0 vote.

Mr. Daubert questioned how the Fair would be advertised. Mr. Welch indicated it would be marketed to newcomers to the area. A steering committee has been working on getting information distributed.

Policy Resolutions for the National League of Cities. Mr. Fontaine said the National League of Cities has invited member municipalities to submit resolutions and policy amendments for consideration by the Association as part of the NLC annual policy process. The deadline for submitting these resolutions and policy amendments is September 1.

Over the past few years, there has been a national debate on the Community Development Block Grant Program and members of Council have regularly participated in the annual NLC Congressional Cities Conference in Washington, D.C. to join their colleagues from around the country to deliver important messages to Congress about the impact of federal policies and programs on communities. As part of this effort, Council may wish to submit a resolution and policy amendment to address the most recent recommendation that would modify the funding formula for the CDBG program in a way that would eliminate funding for State College and many other Pennsylvania communities.

Mr. Daubert asked a statement be added to the end "as currently defined," so it was clear that the program should not be changed. Council members agreed.

Mr. Kern asked how long the current formula had been in existence. Mr. Fontaine indicated it had been in place since 1972. Mr. Kern said that many things have happened in last 30 years and changes in the funding formula may be needed. He felt that they needed to be proactive in getting a funding formula that is really helpful to the needs of the population. Ms. Dauler disagreed, commenting that they had visited with legislators in Washington about this issue and she felt it was important for communities for funding to remain at the current level. There are many worthwhile projects being funded across the nation. The current systems allows for the local municipalities to determine how and where the money is spent so that the needs of the local community are being met.

Ms. Dauler moved that Council authorize the President of Council to submit a policy proposal to the National League of Cities that would state the Borough's support for the continuation of the CDBG program. Ms. Goreham seconded the motion. Mr. Daubert asked a statement be added to the end "as currently defined," so it was clear that the program should not be changed. Council members agreed.
The motion passed with a 7-0-0 vote.

PUBLIC WORKS

Centre Region Act 537 Sewage Facilities Plan Update. Mr. Fontaine said the ad hoc Act 537 Plan Committee continues to meet to develop a consensus on the five proposals to expand the Regional Growth Boundary/ Sewer Service Area. In the interim, the COG General Forum agreed that municipalities should provide guidance on how sewage management programs will be addressed in the Act 537 plan.

The plan must include a sewage management program for the Centre Region. The two approaches discussed are a targeted program, which would address problem areas only, or a region-wide program, which addresses all on-lot septic systems in the Centre Region. Municipalities are also being asked to choose between two options for administration: municipal administration or administration through the UAJA. Council is being asked to comment on the sewage management system and forward those comments to the COG Executive Director by August 22.

Mr. Fontaine noted that with the limited number of on-site septic systems (there are only five on-site systems in the Borough), the Borough should not determine the regional management system. Ms. Goreham stated that failed septic systems impact the Borough and the aquifers. She believed on-lot septic systems should be strictly regulated. This is a community decision that the Borough needs to support. Mr. Fontaine noted that the recommendation does not allow for unregulated systems. He said that those municipalities that have larger issues should determine

the management approach. The Department of Environmental Protection will not allow unregulated systems.

Mr. Hahn asked the source of payment for either management program. Mr. Fontaine said the UAJA will charge the individual systems for management. He noted the UAJA does not have a strong opinion on the management but did offer to manage the systems. Other municipalities may have a stronger opinion about turning over the management of systems.

Ms. Goreham asked about the five systems in the Borough and if they are pumped regularly and maintained in good order. Ms. Story noted that there were no records of failures; each of the five systems has a limited flow.

Ms. Dauler moved to forward the comment on the management program for on-site septic systems that, because of our limited number, the Borough will cooperate in whatever regional program is established. Mr. Daubert seconded the motion. The vote on the motion was 6-1-0 with Ms. Goreham opposed.

In an update on the Act 537 plan, Mr. Fontaine said the COG Executive Committee would meet the following day and recommend that the COG General Forum consider addition of the five areas to the future sewer service area based on three conditions:

- the proposed extension of Blue Course Drive ends at the Whitehall Road Park;
- the UAJA is authorized to work with the Spring-Benner-Walker Joint Authority and Benner Township to develop a workable solution to provide public sewer service to Shiloh Road; and
- the Centre Region municipalities agree to adopt the Implementation Agreement. .

Mr. Fontaine reported the draft implementation agreement has been modified and Council's comments were incorporated. The ad hoc steering committee met and felt it was satisfactory. Other Council issues relate to land development on the Whitehall Road property and staff has been working with Ferguson Township to schedule a joint Council-Supervisor meeting to discuss the issues.

OTHER REPORTS AND CORRESPONDENCE

Mayor's Report. Mr. Welch reported he continued to work on filling the positions for the Redevelopment Authority and would have a completed list available shortly.

President's Report. Ms. Dauler announced an executive session following the August 14 work session to discuss personnel matters and announced an executive session following this meeting to address real estate and personnel matters.

Regional Liaison Reports. Ms. Goreham reported the ad hoc Regional Park Committee had met and recommended a lease agreement for regional park development. The Committee also recommended Alternate 3 of the Park Forest Pool renovation be forwarded for approval. The cost of the renovation would be about \$3,200,000.

Mr. Kern reported from the COG Code Committee that the rental housing inspections are on schedule and no longer behind. It was determined that 30 percent of the time was spent on reinspections, which limits time inspectors can spend on problem properties. It has been proposed that reinspections become self-reinspections with a mail-back form once the work has been completed. The inspectors will follow-up randomly with the mail-back forms to insure that the work is being done. The Committee agreed that corrections that are life safety issues would not be eligible for the self-reinspection mail-back form. Mr. Kern said that he would like to have the inspectors try this new program but wanted to get feedback from the rest of Council before proceeding.

Mr. Kern also stated that the code enforcement office would like to permit the installation of water tanks to support sprinkler systems. Water tanks are usually located in the basement and have an enclosed system. This saves the property owner from having to pay for an additional tapping fee and hook up for water. The Water Authority has indicated that the systems are experimental and did not approve. Code enforcement feels that the Water Authority's jurisdiction ends at the meter. If a sprinkler system can be built that meets the code then the Water Authority's comments are irrelevant. The Code Committee members suggested that code officials meet with the Water Authority to coordinate and address all of the concerns. Again, Mr. Kern said he was looking for feedback from Council on this.

Council members agreed that the mail-back forms for reinspections should be considered. Council members also agreed that the Water Authority and codes officials should meet.

Staff/Committee Reports. Council received the first and second quarterly reports for Health Department enforcement activities from Mark Henry, Health Officer. Council members discussed the problems associated with Grillers Café, 256 East Beaver Avenue. Mr. Henry indicated the restaurant was closed and cited for unsanitary conditions. Once the problems were corrected the

establishment was permitted reopen. Inspectors continue to visit the establishment to insure that sanitary conditions are being maintained. Mr. Filippelli asked if this information is available to the public. Mr. Fontaine said they are developing a system where properties that are cited are listed on the web site. Mr. Kern noted that it was important that residents are aware that some establishments cause consistent problems.

Mr. Henry also presented a report on Pandemic Preparedness and the local plan for State College. He noted that there was a regional pandemic planning committee with representation from a broad spectrum of agencies. Issues to be addressed by the Borough include critical services, personnel and resources. Mr. Welch noted that the list of participants did not include funeral homes. Mr. Henry indicated there is a mass casualty plan in existence prepared by the Centre Region Emergency Management Coordinator.

Mr. Kern noted that a reduced police force could be problematic. Mr. Fontaine noted the Borough continues to work on critical functions and the continuation of departmental operations. There is more work to be done on this issue. Mr. King added that essential and non-essential personnel had been identified to assist in the more critical functions. Mr. Henry noted the local planning continues to work on preparedness issues. He added that it has grown exponentially. Currently, the Centre Region is focused on medication and a medical reserve corp.

Mr. Henry reported on a smoke-free work place bill currently in committee in the Pennsylvania General Assembly that would prohibit smoking in any work place, including restaurants. The Centre County Tobacco Prevention Coalition supports the bill and the Pennsylvania Restaurant Association has released a statement in favor the legislation.

Second Quarter Financial Report. Mr. Groff presented a series of slides on the second quarter financial report. He noted that taxes and other revenue are ahead of budget targets while expenditures are under budget targets. If the trends continue by the end, the Borough will have a surplus and revenues will exceed expenditures. This is expected to be the case because there were no changes approved by the General Assembly for the Emergency Management Services Tax (EMST).

Mr. Hahn asked if newly constructed homes would have the opportunity to receive the homestead exclusion. Mr. Groff indicated there would be another filing period in the Fall. Ms. Goreham asked if an effort had been made to eliminate rental properties that may have applied for the homestead exclusion. Mr. Groff explained that had been done before the actual exclusion was applied. There were a number of properties removed from the list at that time.

Mr. Groff then reviewed information on the parking fund. He noted that the 2003 plan for funding the garage estimated that expenditures would exceed revenues for a number of years. In 2006, \$400,000 was expected to be used from reserves. He said it appeared the revenue would be much lower than predicted and it would be necessary to draw \$600,000 from reserves. The hourly parking revenue has declined while the monthly parking revenue has increased. Based on these changes in demand, staff would be reviewing the situation on a monthly basis.

Mr. Filippelli asked what the demand was for monthly spaces. Mr. Groff indicated there was not a waiting list. Students are due to return within the next two weeks which means there could easily fill an additional 50 spaces. He stressed the need, however, to keep spaces available for hourly parkers. Mr. Fontaine noted that in the past a set amount of monthly spaces were made available; additional requests above that amount were placed on a waiting list. Since the Beaver Avenue garage has opened, monthly pass requests are granted immediately. Since the garage was not open this time last year, he expected an increase in monthly renters.

Mr. Hahn asked if a differential rate could be applied to those parking during the business hours. Mr. Fontaine said staff was considering a mix and variety of offers for monthly passes. He hoped to have these available for consideration by Council as part of the budget process. Mr. Hahn asked if multi-year passes could be issued. Mr. Fontaine indicated it could not be done based on the tax exempt status of the bond. Monthly permits are based on maximum of 6-months. If rented for a greater length of time, the renter is considered as a resident and the facility would lose the tax exempt status.

Mr. Kern asked about the parking manager position. Mr. Fontaine indicated they were in the selection process and hoped to have it done in a few weeks. Staff was reluctant to initiate a business planning module without input from the parking manager.

Mr. Kern asked if the 500 spaces available in the Beaver Avenue garage were being marketed to the public. Mr. Fontaine said the Borough has not been effective in this respect; once the parking manager is on board, it is hoped that the entire parking system could be treated as one entity with a more aggressive marketing program. Mr. Kern suggested that landlords be told that spaces are available so that they can pass that information along to student renters. Mr. Fontaine agreed there was some outreach that could be done such as advertising in the Daily Collegian.

Mr. Daubert asked that Council be updated on the parking system and this be placed on a future work session for discussion.

Mr. Fontaine asked that Council provide staff direction on three issues. The first was whether or not the Borough should continue its practice of intervening in all assessment appeals. Council members agreed that this practice should be continued.

Mr. Fontaine said the second issue was to consider a one-time grant to the State College Community Land Trust to offset Real Estate Transfer Taxes paid as part of the 2006 settlement for unpaid taxes over the previous three years. He explained the Pennsylvania Department of Revenue had required the transfer tax be paid for land trust properties for both the house and land, not just the house. The additional tax paid to the Borough was approximately \$3,200. He suggested a one-time grant of \$3,200 be presented to the Community Land Trust. Land trust personnel had corrected the problem and would be including the additional transfer tax as part of the closing costs in future transactions.

Mr. Daubert said he would like to see a financial statement from the land trust before voting on this. If Council agrees to this, it should be done for every agency. Mr. Fontaine said it was one circumstance where back taxes were collected based on a determination by the Department of Revenue. Since the problem has been corrected, it would not be necessary to provide an additional grant in the future.

Mr. Hahn moved to grant the Community Land Trust \$3,200. Ms. Goreham seconded the motion. The motion passed with a 6-1-0 vote with Mr. Daubert opposed.

Mr. Fontaine noted the third item was for Council to review a memo prepared by the Solicitor on the basis for tax exempt property and a list of exempt properties in the Borough. Mr. Daubert noted that all campus locations were not identified as included in the in lieu exemption. Mr. Fontaine explained that only those properties located off-campus were identified with an address.

Mr. Daubert noted that the list of property had other discrepancies. For example, the community swimming pool was not located at 630 South Atherton Street. Mr. Groff explained that the real estate rolls are generated by the County, which may have errors. Mr. Daubert said that he could not identify possible additions or deletions to the list unless he knew the correct address.

Ms. Dauler noted that churches that rent space to private schools may no longer be tax exempt, especially if there are no longer religious services held in the building. She stated that she would like to go through the list to point out particular properties with errors.

Council members agreed this should be addressed at a future meeting.

There being no further business, the meeting adjourned to an executive session at 10:28 p.m.

Respectfully submitted,

Cynthia S. Hanscom
Assistant Borough Secretary