

**Meeting Minutes
State College Borough Council
Work Session
November 13, 2006**

The State College Borough Council met in a work session on Monday, November 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 Catherine G. Dauler, Council President
Thomas E. Daubert
Ronald 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; Michele Nicolas, Director of Human Resources; Carl R. Hess, Planning Director; Herman L. Slaybaugh, Zoning Officer; Mark A. Whitfield, Public Works Director; Michael Groff, Finance Director; Thomas R. King, Chief of Police; Alan W. Sam, Arborist; Sheila Lubold, Recording Secretary; Attorney Al Jones, Hearing Officer; members of the media; and other interested observers.

Public hour. Chris Brink, 319 N. Burrowes Road, is a member of the Phi Gamma Delta Fraternity. He invited Council to attend a Spaghetti Dinner event to be held on November 15 to benefit the American Red Cross at the Fiji Fraternity.

Open Agenda. Council members were given the opportunity to raise issues not scheduled on a future agenda. Council was provided with a list of upcoming agenda items prior to the meeting.

Mr. Kern suggested Council should encourage affordable housing in the Borough and requested this item be added to a future agenda. Mr. Humphrey supported this idea and felt this is an issue not only for the Borough but the Centre Region. Ms. Goreham added that affordable housing is an issue that may be considered by the Redevelopment Authority.

Mr. Daubert recommended the Urban Village reports and updates be done at meetings that are televised so the community is better able to know the status of the project. Mr. Fountaine stated changes could be made to agendas so updates would be given during Monday night meetings.

Mr. Daubert felt Council should receive a report from the recent Borough University meeting. Mr. Fountaine added a report is usually given and would be on an upcoming agenda. Mr. Daubert also requested more reporting from staff about interactions with the University. Mr. Fountaine stated policy discussions are reported to Council but not all discussions are reported. Mr. Fountaine suggested the possibility of doing a town and gown type of report.

State College Area School District Conditional Use Request to Reduce Parking. Mr. Fountaine explained on November 6 Council held a hearing on a conditional use application received from the State College Area School District (SCASD). The hearing was led by Attorney Al Jones who sat as the Hearing Officer. Testimony and exhibits presented at the hearing constitute the entire record on which Council must base its decision.

The application seeks permission to reduce required parking incidental to expansion and renovation of the high school (north building) by 386 spaces, a 40.1% reduction. The zoning ordinance requires 962 parking spaces to be provided, but further provides a conditional use provision that allows up to a 50% reduction in the required parking provided certain conditions are met by the applicant.

Council discussed the testimony and exhibits received at the hearing and considered the following questions identified by the zoning officer at the hearing:

1. Does the application show that the north site is large enough to support all of the required parking (962 spaces)?
2. Does the application show that the area that otherwise would have been used for parking will be maintained as contiguous planted open space?
3. Has the school district represented it will enter into a written agreement specifying that if the planted open space is converted to parking in the future it shall comply with the provisions of Part H of the zoning ordinance?
4. Is the amount of parking reduction sought 50% or less than the total parking required for the north site?

Ms. Dauler asked for Council's comments to the first question. Mr. Daubert requested and was given a copy of the application submitted by SCASD. After he reviewed the application, he and other members of Council said the site is large enough to support the required parking spaces.

Ms. Dauler asked for Council's comments to the second question. Council members said the application showed contiguous planted open space would be maintained. Mr. Humphrey added it would be terrible to take a section out of Memorial Field.

In reference to the third question, Council was given a copy of a "Parking Reduction Agreement" between the State College Area School District and the Borough of State College.

Council members said the amount of parking reduction sought was fifty percent or less of the total parking required (Question #4).

Council requested that Mr. Jones prepare a draft written decision for Council consideration based on the preceding discussion. Mr. Jones stated he would start to prepare the draft decision and explained his writing style is brief. Mr. Daubert requested Council be able to review the draft written decision prior to the November 20 meeting.

Design Review Board. Kevin Gombotz, a member of the Design Review Board (DRB), attended the meeting to report on the DRB proposed 2007 work program. Mr. Gombotz pointed out one item in the proposal includes funding for a part-time internship position for a University student scheduled during the spring. The DRB has also been working on the new Design Guide to be made available as a tool to help developers and keep them up to date with current ordinances and changes.

Ms. Goreham stated activity in the downtown will start to increase with the development of the Urban Village and the establishment of the RDA. She would like the DRB to continue to encourage attractive development and would like State College to encourage green construction.

Ms. Dauler questioned how the Board developed the layout for the design guide. Mr. Gombotz explained they reviewed several other design guides and found a form they felt would work best. The design guide includes a mission statement and each topic of the guide has a "did you know" section that provides relevant statistics.

Mr. Daubert questioned if Council would have an opportunity to review the design guide prior to distribution. Mr. Gombotz said that Council could review the guide.

Mr. Kern stated the Borough has many small lots and has narrow streets and sidewalks making reconstruction in the Borough difficult and more expensive. Mr. Kern felt anything the DRB could do to recognize the inherent difficulties in redevelopment would be helpful to anyone who is considering reconstruction.

Tree Commission. Marc McDill, a member of the Tree Commission, attended the meeting to report on the Commission's proposed 2007 work program. Mr. McDill stated the importance of the urban tree canopy and how the Tree Commission tries to balance the public and private concerns. With the help of Alan Sam, the Commission also monitors the trees throughout the Borough for safety hazards. When consideration is being made to remove a tree the landowners are given a letter stating the Commission's intention and are invited to meetings to voice their thoughts and concerns.

The Tree Commission tries to make the downtown friendlier by adding more trees and by thinking of neighborhoods as a whole. The Commission evaluates the different species and what is being replaced each year. The Commission has also taken an active role in trying to improve the managing of the trees in Holmes/Foster Park. A long term plan was developed which will include hiring a landscape architect in 2008 to help with the project.

Mr. McDill also noted the on going problem with vandalism and the loss of small trees. The Tree Commission is trying to find creative, educational solutions to resolve this problem but felt the best change is for people themselves to change their actions.

Mr. Filippelli questioned the magnitude of the vandalism problem and if there are similar problems on campus. Mr. Sam explained a recent study has not been done but it appears that the vandalism affects five to ten percent of the trees in the Borough with the area around the high school and Highlands having the most damage. Mr. McGill said he did not think the University encounters the same problems simply because there are not establishments selling alcohol on campus and the trees on campus are more mature.

Mr. Daubert asked if the Tree Commission has looked at possible hazardous groves of trees on private property and is there a way the Borough can be of assistance in having the hazards addressed. Mr. Sam explained when safety is a concern, according to Borough ordinance; he could contact property owners and can require a tree be removed. In the past he has received request from property owners asking for advice and guidance at which time he provides them with names and telephone numbers of companies to contact.

State College Borough Water Authority. Emory Enscore, a member of the State College Borough Water Authority, attended the meeting to report on activities of the Water Authority and provided Council with statistics on the water usage in the Borough and the number of residents served. The goal of the Water Authority is to continue to improve the water system by developing a long-term plan while maintaining fair water rates. Fire hydrant flow has been a high priority

issue and the Authority has been successful in improving the water flow. The Water Authority also continues to improve distribution systems and will continue to look for opportunities when the Borough's road project schedule will allow for such improvements.

Max Gill, Executive Director of the State College Borough Water Authority, explained what is being done to protect the water supply. He also spoke about the fracture trace analysis that has been used to learn how the water travels underground and also how dye trace testing was done to provide information on how quickly water travels. The result from this testing has helped to determine how much reaction time is allowed in the event contamination occurs and how long it takes for contaminated water to pass through the testing area.

Mr. Kern questioned the number of employees that would be needed to continue the operations of the Water Authority if a regional or national emergency occurred. Mr. Gill said clean drinking water could still be provided with a third of the staff.

Ms. Goreham questioned what the Water Authority felt Council should be most aware of. Mr. Gill stated the Authority has saved some of the most difficult waterline repairs for last and Council should be aware the Authority may request some assistance with directing traffic and patience. Mr. Hahn commented the one issue for the Susquehanna River Basin is the loss of recharge area and asked Mr. Gill how this problem could be addressed. Mr. Gill responded saying the biggest concern with the loss of recharge area is the amount of parking and paved areas in the newly developed areas. Mr. Gill suggested rethinking the extent of paving and curbing along streets.

Mr. Hahn stated a review of the regional growth boundary was recently done and questioned if this is related to the loss of recharge area. Mr. Gill stated having a logical and continuous growth is good but pointed out different laws apply to water systems then to sewer systems.

Mr. Gill invited Council to tour the Water Authority facilities.

Spring Creek Watershed Community. Todd Giddings from the Clearwater Conservancy presented a report on the Water Resources Monitoring Project. Mr. Giddings explained the area is being urbanized and the Watershed Community is working to develop ways to help with the recharge of the groundwater supply and the protection of the surface waters in the Watershed. He explained where the different monitoring sites are located and the importance of having each station.

Mr. Giddings stated the entire committee is composed of volunteers and is funded by the support of surrounding municipalities and other local entities. The Spring Creek Watershed Community is requesting a pledge from the State College Borough for \$7,325 for 2007 activities.

Council thanked Mr. Giddings for his time and informative presentation.

2007 COG Budget. At the October 23 General Forum meeting, the municipalities were asked to review and comment on the 2007 COG budget. A memo was provided to Council summarizing the budget and the primary areas where increases occurred. Council was asked to focus on the factors contributing to the increases and consider the Borough's ability to fund these programs in the future.

Mr. Daubert provided Council with a handout of the COG budget summary for 2006 and 2007 to use in comparing the differences in the annual contributions. He noted the differences are minimal except for the items of Regional Parks and Pools Capital. The increase for the Regional Parks was discussed by Council in great detail and Council agreed to the increase. The Pools Capital has increased due to the proposed projects for improving the regions pools. The CRPR has asked for an increase from all municipalities for the next three years. Mr. Daubert also noted renovations at the Alpha Fire Company are planned for 2007 so there was a \$10,000 increase for that item.

Mr. Daubert stated he will know the thoughts of the other townships after the Finance Committee meeting tomorrow but felt the COG budget would be approved as is.

Mr. Kern expressed his concerns about the Code Enforcement funding and the limited fund balance at the end of 2006. Mr. Steff explained the Code Enforcement budget can be difficult because of the unpredictable changes in construction but he is well aware of how fragile the budget can be. He assured Council the budget is closely monitored and funds are available if an emergency should occur.

Mr. Hahn said he shared Mr. Kern's concerns and questioned if borrowing from other budgets was an option. Mr. Steff said yes this could be done for short periods of time.

Mr. Groff added the Code Agency is funded by user fees, making it difficult to time revenues due to the fluctuating new construction market. Mr. Groff offered the suggestion of reviewing the fee structure and Mr. Kern said there is a need for this to be done.

Mr. Fontaine noted COG does not budget the same way the Borough does because revenues for COG are set by contributions except for the Code Agency, which can be unpredictable.

Mr. Daubert commented that Mr. Groff and Ms. Crater do a great job managing the COG finances but felt at some point a discussion will be held regarding the fees being paid to the Borough for providing financial services to COG.

Mr. Hahn expressed his concern about the large organization of COG and having an administration that is under staffed and felt additional staff may be needed. Mr. Steff was aware of this suggestion and with having a centralized purchasing system but does not feel COG is in the position to make such changes as this time.

Receive the 2007 Operating Budget. The 2007 Operating Budget was distributed to Council. Mr. Fontaine stated he would be presenting the budget at the November 17 work session and suggested skimming through the budget prior to the meeting. Mr. Fontaine did point out the budget will be presented with no tax increase and currently shows reduced funding from the Emergency and Municipal Services Tax. He reminded Council an additional work session has been scheduled for November 29 to discuss the budget.

Ms. Dauler stated reading the summary at the beginning of the budget is usually helpful. There being no further business, the meeting adjourned to an executive session to address personnel and real estate matters at 9:45 pm.

Respectfully submitted by:

Cynthia S. Hanscom
Assistant Borough Secretary