



**COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING MINUTES**

**Thursday, April 7, 2022**

**7:00 PM**

**1481 E. College Avenue, State College PA 16801**

**Hybrid Meeting (In-Person or via Zoom)**

---

**ATTENDED BY –  
COUNCIL:**

D. Richard Francke, Chair  
Carla Stilson, Vice Chair  
Paul Takac L. Eric Bernier  
L. Eric Bernier  
Dustin Best

**STAFF:**

Adam T. Brumbaugh, Township Manager/Secretary  
Mike Bloom, Assistant Township Manager  
Lindsay Schoch, AICP, Principal Planner  
Mark Gabrovsek, Zoning Officer  
Jennifer Snyder, Executive Assistant

**CALL TO ORDER:**

Mr. D. Richard Francke, Council Chair, called to order the April 7, 2022, Regular Meeting of the College Township (CT) Council at 7:02 PM, and led in the pledge of allegiance.

Chair Francke announced that Council met in Executive Session prior to the start of this regular CT Council meeting to discuss personnel issues.

**OPEN DISCUSSION:**

Ms. Sue Smith, Lemont, asked Council if Council has discussed single use plastics initiative as is being considered in Ferguson and Patton Townships and the State College Borough.

Ms. Kathy Matason, CT Parks and Recreation Committee, Centre Region Parks and Recreation Authority, announced that after 14 years of planning, she has some good news to report about the Whitehall Road Regional Park. There will be a groundbreaking ceremony on April 27 at 2:30 PM at the Whitehall Road Regional Park. Invitations will be sent out.

**NEW AGENDA ITEMS:** No *New Agenda Items* were brought forward.

**PLANS:**

**P-1 PSU Beaver Stadium Gate C Preliminary/Final Land Development Plan;  
University Park Campus – Tax Parcel 19-003-,100-,0000**



Ms. Lindsay Schoch, AICP, Principal Planner, offered an overview of the PSU Beaver Stadium Gate C Preliminary/Final Land Development, Tax Parcel 19-003-100. The intent of this plan is to improve pedestrian access to Gate C at Beaver Stadium. The Plan includes grading, removal of trees, and expanded walkways to ensure the safety and ease of access for pedestrians. The Planning Commission recommended conditional approval of the plan at the March 15, 2022, meeting.

Mr. Mike Vaow, Stahl Shaeffer Engineering, offered that main objective of this project is access and safety for pedestrians to Gate C.

**Mr. Best made a motion to approve the Preliminary/Final Subdivision Plan for Beaver Stadium Gate C Plaza Expansion dated February 9, 2022, and last revised March 22, 2022, subject to the following conditions:**

- 1. Within 90 days from the date of approval by Council, all conditions must be satisfied, final signatures must be obtained and the plan must be recorded with the Centre County Recorder of Deeds Office. Failure to meet the 90-day recordation time requirement will render the plan null and void.**
  - 2. Pay all outstanding review fees.**
  - 3. Address, to the satisfaction of the Township Engineer, any outstanding comments.**
  - 4. Fully comply with College Township Code Section 180-12 of the Township Ordinance.**
  - 5. Post surety as approved by the Township Engineer.**
- Mr. Bernier seconded the motion.  
Motion carried unanimously.**

**P-2 Spring Creek Presbyterian Church Subdivision; 144 and 150 Mary Street, Lemont Tax Parcel – 19-014-110**

Ms. Schoch, AICP, Principal Planner, offered an overview of the Spring Creek Presbyterian Church Subdivision that proposes to subdivide tax parcel 19-014-110 into two separate lots. The property currently contains a church, parking lot and its former parsonage house. The proposed Lot 1, 0.372 acre, contains the church. Proposed Lot 2, 0.128 acre, contains the former parsonage. Lot 2 will be sold to support the church. Zoning Variances were obtained for the property from the College Township Zoning Hearing Board in order for the subdivision to be feasible.

The developer requested a sidewalk waiver primarily due to lack of public sidewalks anywhere in the Lemont Village area except for the Pike Street Improvements nearly 370 feet away. The Planning Commission recommended approval of the plan in a 4:2 vote. The two (2) dissenting votes were not in favor the sidewalk waiver.

Mr. Lee Slusser, AICP, Project Manager, Penn Terra Engineering, Inc. offered the house on Lot 2 would be a single-family dwelling. Council discussed the parking area, impervious compliance



and variances. Mr. Slusser offered Lot 2 would construct a new driveway with three (3) new off-street parking spaces.

**Ms. Stilson made a motion to approve the Spring Creek Presbyterian Church Subdivision Plan dated February 21, 2022, and last revised March 10, 2022, subject to the following conditions:**

- 1. Within 90 days from the date of approval by Council, all conditions must be satisfied, final signatures must be obtained and the plan must be recorded with the Centre County Recorder of Deeds Office. Failure to meet the 90-day recordation time requirement will render the plan null and void.**
- 2. Pay all outstanding review fees.**
- 3. Post surety as approved by the Township Engineer.**
- 4. Fully comply with College Township Code Section 180-12 of the Township Ordinance.**
- 5. Address, to the satisfaction of the Township Engineer, any outstanding comments.**
- 6. Approve a waiver request for the installation of the sidewalks.**

**Mr. Takac seconded the motion.**

Ms. Sue Smith, Lemont, asked if this structure is a contributing structure to the Historic District.

**Motion carried unanimously.**

**P-3 Jake's Fireworks Preliminary/Final Land Development Plan; Corner of College Avenue and Pike Street Tax Parcel 19-008-114**

Ms. Lindsay Schoch, AICP, Principal Planner, offered an overview of the Jake's Fireworks Preliminary/Final Land Development Plan. This LDP is proposing a 5,000 square foot retail facility on the 1.35-acre parcel zoned C-1 (General Commercial). Sidewalks, parking, stormwater, refuse and recycling are proposed. This plan was presented to Council as a sketch plan back in November of 2021. The Planning Commission recommended conditional approval at the March 15, 2022, meeting.

Council discussed the placement of the dumpster with Mr. Mark Toretti, Penn Terra Engineering. Council strongly encouraged the developer to look for another location for the dumpster. This corridor is a crucial gateway to College Township. Mr. Toretti offered he upgraded the plan to a vinyl fence and landscaping which would surround the dumpster area.

**Mr. Bernier made a motion to approve the Evergreen Heights Preliminary/Final Land Development Plan dated January 17, 2022, last revised March 1, 2022, subject to the following conditions.**

- 1. Within 90 days from the date of approval by Council, all conditions must be satisfied, final signatures must be obtained and the plan must be recorded with the Centre County**



**Recorder of Deeds Office. Failure to meet the 90-day recordation time requirement will render the plan null and void.**

**2. Pay all outstanding review fees.**

**3. Address, to the satisfaction of the Township Engineer, any outstanding comments.**

**4. Fully comply with College Township Code Section 180-12 of the Township Ordinance.**

**5. Post surety as approved by the Township Engineer.**

**6. Obtain Intent to Serve letters from both CTWA and UAJA  
Ms. Stilson seconded the motion.**

Chair Francke offered that Council had approved a Land Development Plan for a car wash on this same parcel. Staff offered that this LDP has expired.

**Motion carried unanimously.**

## **SPECIAL PRESENTATION:**

### **SP-1 Schlow Regional Library Annual Update**

Ms. Kimberly Fragola, CT Representative on the Schlow Regional Library Board, and Ms. Lisa Collens, Schlow Library Executive Director, offered an update to Council. The Library is now open to full circulation after being closed during the COVID-19 pandemic. Participation of circulation compared to 2019 is down 12.76%. In 2021, College Township residents checked out under 60,000 pieces of physical materials. That number represents 16% of full circulation. Ms. Fragola offered there are two (2) remote return locations, the Weis on South Atherton and the Nittany Mall. The Weis location receives approximately 15,000 returns per year whereas the Nittany Mall location receives approximately 1,500 returns per year.

The Schlow Library launched a refresh of their website. This website gets over 1.4 million views a year. Ms. Fragola introduced the Summer Reading Program. The library offers Adult Reading Group Discussion Kits, Discovery Kits for Children, toys puzzles and games for all ages and over 60 board games for adults. Additionally, there are over 400 bilingual books for children.

Council thanked Ms. Fragola and Ms. Collens for such a great resource to the Centre Region. They applauded the new website and the many programs for children and teens. Ms. Collens added April 12 is Library Staff Appreciation Day.

## **REPORTS:**

### **a. Manager's Update**

Mr. Adam Brumbaugh, Township Manager, offered the following: the Pike Street Project will get underway the week of April 25 with a minimum of a six (6) month construction time period; a joint meeting was held with Council and Planning Commission to discuss Form-Based Codes;



an LTAC meeting was held and LTAC is requesting a proposal from Trans Associates to study speed humps as initial phase to traffic calming; and, Mr. Mike Bloom, Assistant Township Manager, has been tasked with drafting joint resolutions for SC Borough and CT Council to consider. Council discussed a time frame for this committee to begin functioning.

Mr. Brumbaugh offered Ms. Schoch, Principal Planner, did a review of the Ferguson Township Official Map, and the Township provided a letter of support to the Centre Region Parks and Recreation Authority grant submission to DCNR for an All-Season Pavilion at the Whitehall Road Regional Park. The Township will also be providing a letter of support for the Millbrook Marsh.

#### **b. COG Regional, County, Liaisons Reports**

**State College Area Connector:** Mr. Bernier offered that there were two (2) open houses held for the State College Area Connector project. Both events were well attended. Mr. Bernier offered that the new PEL Study is a very deliberate and important process and no decision has been made as to the location of this connection.

Ms. Sue Smith, Lemont, attended the Open House and every person she spoke to asked why isn't there a plan that won't destroy farmlands, creeks, valleys etc. She opined that the current speed limit is not enforced and should be.

**COG Facilities:** Mr. Bernier offered a report on the Facilities Committee, which met on April 5, 2022. They heard three (3) updates on the following: Whitehall Road Regional Park groundbreaking ceremony; Millbrook Marsh Nature Center Spring Creek Education Building Phase 2 and Welcome Pavilion Kickoff meeting; and the CIP Planning Process and Capital Budget.

**Land Use Community Infrastructure Committee (LUCI):** Mr. Bernier offered the LUCI met and discussed a new comprehensive planning framework for the Centre Region and heard an update on the Primary-Scale Solar Study and toolkit.

**Local Traffic Advisory Committee (LTAC):** Ms. Stilson offered the LTAC met on March 30, 2022, and met with the Centre Hills Village Neighborhood Committee. It was decided to pursue a phased approach to traffic calming beginning with speed hump, keeping in mind future potential phases.

**COG Human Resources Committee:** Mr. Best offered the COG Human Resources Committee met on April 6, 2022, and; approved a job description for part-time Staff Assistant (fire); approved the contract award for GovHR USA for the COG Classification and Compensation Study; heard the results of the Parks and Recreation Study; and heard a presentation related to the CPI-U for 12 months ending on January 31, 2022.

#### **c. Staff/Planning Commission/Other Committee Reports**

Mr. Ed Darrah, PC Liaison to Council, offered a written report to council. He reported the PC met on April 5, 2022, and continued the discussion on walkable pathways in College Township. They reviewed the Pedestrian Facilities matrix on at least seven (7) case studies. They also



reviewed the process for Fee-In-Lieu of sidewalks. Chair Francke offered that the PC also met in a joint meeting with Council on March 29. The meeting was very informative.

**d. Diversity, Equity & Inclusion Reports (Public Invited to Report)**

Mr. Takac opined the Osage Osagie Day of Unity, held March 20, was very positive. Additionally, the Transgender Day of Visibility rally, held on March 31, met with a lot of community support.

Ms. Stilson offered the Anti-Bias Coalition is reconvening and looking for interested people to volunteer.

**CONSENT AGENDA:**

**CA-1 Minutes, Approval of**

- a. March 17, 2022, Public Hearing Ordinance O-22-01
- b. March 17, 2022, Regular Meeting

**CA-2 Correspondence, Receipt/Approval of**

- a. Letter from Movin' On, dated March 17, 2022, regarding the Annual PSU student sponsored spring music festival
- b. Letter from Geisinger, dated March 17, 2022, regarding Time Extension Geisinger Clinic Scenery Drive Land Development Plan to July 12, 2022
- c. Letter from HRG, dated March 23, 2022, regarding UAJA DEP Permit Application to continue operating Spring Creek Pollution Control Facility
- d. Email from Daniel Materna, dated April 3, 2022, regarding follow-up on proposed casino-related letter (College Township)
- e. Email and Note 10 from Gene Bazan, dated April 6, 2022, regarding comments on draft Wireless Communication Facilities Ordinance

**CA-3 Action Items, Approval of**

- a. Appointment of Mr. Stephen Spoonamore to the Parks and Recreation Committee Member; fulfilling the vacancy with a term expiration of 12/31/2024
- b. Resolution R-22-05; Appointment of Ms. Noreen Khoury and Mr. Matthew Fenton, as Alternate Member(s) to the Planning Commission

Mr. Brumbaugh offered comments relative to CA-2.c. Ms. Stilson asked to pull CA-2.d. for further discussion.

**Mr. Takac made a motion to approve the April 7, 2022,  
Consent Agenda less CA-2.d.  
Mr. Best seconded the motion.  
Motion carried unanimously.**



**CA-2.d.:** Ms. Stilson offered that she has decided to wait on sending a letter to the PA Gaming Control Board for better timing as her letter addresses issues should the casino be approved not if the casino is approved.

**Ms. Stilson made a motion to approve CA-2.d.**

**Mr. Takac seconded the motion.**

**Motion carried unanimously.**

## **OLD BUSINESS:**

### **OB-1 Wireless Communications Facilities; Ordinance O-22-02**

Ms. Lindsay Schoch, AICP, Principal Planner, offered a brief overview of Wireless Communications Facilities (WCF) Ordinance O-22-02. Ms. Schoch introduced Mr. Mike Roberts of Cohen Law Group, outside counsel. Included in the packet for further review from Council is draft four (4) of the WCF Ordinance and Design Manual. Council reviewed a series of questions posed to Mr. Roberts.

**1. Enforcement Tools - \$500/day for violations/specific fines and penalties in fee schedule:** Council satisfied with this explanation and the ordinance.

**2. WCF location related to ROW:** Mr. Roberts offered the WCF ordinance addresses both WCF inside and outside the ROW. Any encroachment onto private property or outside of ROW would require an easement.

**3. Incorporating more visuals into the ordinance and/or design manual.** Mr. Roberts asked for clarification. Ms. Schoch offered that this question was related to size, limitation and where WCF can be located with respect to Small WCF. Mr. Roberts will provide to Staff examples/images/visuals that could be incorporated into the Design Manual.

**4. Long-Term Safety WCF - Physical Safety:** Mr. Roberts offered as part of the Application Process, small WCF are required to submit a report by a qualified engineering expert showing that the proposed facility complies with applicable FCC regulations, including those relating to radiofrequency emissions. Proof of ongoing compliance with such regulations must be submitted as part of recertification of such site every five (5) years. Municipalities can required WCF's to submit proof of their compliance to the FCC standards related to radiofrequency emissions. Council discussed line 145 of the ordinance. Mr. Roberts added, if the Township suspects for any reason that a WCF does not comply with FCC standards, the Township should request compliance information and report to the FCC.

Council discussed the procedure should the FCC standards change and the process to bring facilities into current compliance. Mr. Roberts added the FCC has the final say on terms to comply and would likely require that facilities be brought into immediate compliance. He offered that in Subsection A1 on page 3 of the ordinance, General Standard of Care, requires WCF to comply with any industry standards safety codes, federal regulations, anything that would need to be complied with for Public Health and Safety Standards. Language could be added in this section to address changing regulations.



**Periodic Permitting of WCF's by municipality, every 5 years Tower-Based and Attached WCF's:** Mr. Roberts offered the Township may choose the permit term and renewal process. Staff suggested five years for both Tower Based and small WCF's keeping them both the same.

**5. Historic Building/Districts – No WCF may be located on or within 200 feet of a site that is listed on the historic register – No Tower Based WCF or attached WCF may be located in a Historic District:** Ms. Schoch offered that the Township GIS Specialist created a map showing a 200-foot buffer around each registered historic property, parcel or district. This buffer eliminated the Village of Lemont and other areas in the Township from WCF's. Mr. Roberts confirmed that this is an accurate representation of the regulation, however, if the regulation eliminates a significant portion of the Township, it may require some additional revisions to avoid running afoul of the law relating to Small WCF's.

Council discussed the map, which was included in the packet. Mr. Brumbaugh offered this map is not intended to be included in the ordinance and is to be used for demonstration and discussion purposes only. Staff will ask the GIS technician to put a disclaimer on the map. Ms. Schoch offered that this map was produced in-house as an example of the 200-foot buffer. After further discussion with Mr. Roberts, Staff realized that WCF are required to be permitted in every zoning district in the ROW. The language of the ordinance has been changed to reflect this information. Additional design requirement may be required in a Historical District. Staff will investigate this and bring back to Council for consideration. Density restrictions were discussed.

**6. Definitions of terms, including Right-of-Way:** Mr. Roberts offered that the Township could incorporate definitions for any terms it wishes. Typically an WCF ordinance reflects the definitions of the larger zoning code. However, the definition in the Zoning Code for ROW is not specific to WCF. Staff will refine the definition in the WCF ordinance for the term ROW for WCF purposes. Mr. Roberts suggested placing all of the definition related to WCF in the ordinance. This would prevent any confusion. Council and Staff agreed this would be a better method for defining terms related to WCF.

Mr. Gene Bazan, Lemont, added a comment related to the definition of ROW and utility easements. Mr. Roberts added that a definition for ROW added to the WCF ordinance, would have to come from Act 50, which specifically includes utility easements in the definition. Mr. Bazan questioned a ROW for Township water line easements and if a WCF could be placed in this ROW as defined by Act 50. Discussion took place.

**7. Façade replaced with front yard or similar term to mean the area of the ROW directly in front of a building:** Mr. Roberts added the Small WCF Design Manual has been revised accordingly. Ms. Stilson added comments about Section 2 Line 247 of the Design Manual and collocation of WCF on an existing pole used for other utilities. To further explain, Mr. Roberts referenced lines 202 and 203 of the Design Manual, which addresses placement of WCF as it relates to views from windows.

**8. WCF is required to further comply with PUC/FCC:** Mr. Roberts added that he revised draft four (4) of the ordinance in Section 200-39.1(A), Lines 95 Standard of Care, to specifically name PUC and FCC regulations.





In conclusion, Chair Francke offered that Council would like Staff to work on the following:

- Question #3: Visuals as discussed
- Question # 4: Language for permit term
- Question #5: Design requirements for the Historic District/Village District
- Question #6: Definitions added to the ordinance

Mr. Bazan offered written comments, Note 10, which was accepted and added as correspondence in this meeting's packet.

Mr. Takac asked about the control of input and output of power. Mr. Roberts added that if a facility complies with the FCC regulations that is all the control the Township has related to this.

Ms. Stilson asked Mr. Roberts about insurance. The Ordinance requires a Certificate of Insurance. Mr. Bazan's note asks that the facility provider carry an insurance policy. Mr. Roberts offered that a Certificate of Insurance provides proof of insurance but he will look further into the question

Ms. Tania Slawewski, Lemont, thanked Council, Staff and Mr. Roberts for their efforts with this ordinance. She offered comments about compliance to FCC regulations and policing what the public is exposed to.

Mr. Roberts offered that all WCF applications have shot clocks, strict periods of time that Municipalities have to react to an application. He cautioned the Township to forward any application to him to be reviewed as quickly as possible to comply with the shot clock. The WCF Ordinance and Design Manual will be added to a future agenda for further discussion.

## **NEW BUSINESS:**

### **NB-1 CATA Local Operating and Capital Match Shares**

In a memorandum, Mr. Brumbaugh, Township Manager, dated April 7, 2022, offered that the Township received a letter, from Louwana Oliva, CATA Executive Director. There are several matters contained in the letter for Council to consider. Mr. Brumbaugh reminded Council that Ms. Kimberly Fragola, CATA Staff, is available to answer any questions.

**Local Municipal Shares:** CATA's recommends to the Centre Region Managers a 5% increase of local municipal shares for the fiscal year beginning July 1, 2022. Mr. Brumbaugh recommends Council accept the 5% increase and incorporate this increase in the Township's budget planning for the calendar 2023 budget year.

**CATA Municipal Funding Formula:** Mr. Brumbaugh offered that recent trends and realities in the transit industry, i.e. micro transit, create circumstances that cannot easily be accommodated within the existing formula structure. In her letter, Ms. Oliva outlines a process to work to revamp the municipal funding formula going forward. Council is asked to discuss the need for an overhaul of the current formula and the process by which this would be accomplished.



**Process for review of CATA Municipal Shares:** Currently, the COG Finance Committee reviews the CATA municipal shares and recommendations are forwarded to municipal partners as part of the normal COG Budget process. With the current and on-going inclusion of other, non-Centre Region COG municipalities playing an increasing role in the transit services provided by CATA, Mr. Brumbaugh offered it is time to remove this process from COG. Council should discuss the proposed plan to work with a committee of municipal managers from all locations served by CATA to develop the recommended local share match that would then be communicated to municipality by either CATA appointed board member or CATA staff.

There was a consensus of Council to accept the 5% increase for fiscal year beginning July 1, 2022. Council agreed that an overhaul of the current formula is welcomed and that COG should be removed from the local shares process and brought directly to local municipalities.

#### **STAFF INFORMATIVES:**

There were no *Staff Informatives* in this meetings packet.

#### **OTHER MATTERS:**

No *Other Matters* were brought forward for discussion.

#### **ADJOURNMENT:**

**Mr. Bernier moved to adjourn the April 7, 2022, Regular College Township Council Meeting.  
Chair seconded the motion.  
Motion carried unanimously.**

Chair Francke adjourned the April 7, 2022, Regular College Township Council Meeting at 10:56 PM.

Respectfully Submitted By,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Secretary