



**COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING MINUTES**

**Thursday, August 4, 2022**

**7:00 PM**

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

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

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**ATTENDED BY –  
COUNCIL:**

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

**STAFF:**

Adam T. Brumbaugh, Township Manager/Secretary  
Don Franson, P.E., P.L.S., Engineer  
Robert T. Long, Finance Director  
Amy Kerner, P.E., Public Works Director  
Lindsay Schoch, AICP, Principal Planner  
Mark Gabrovsek, Zoning Officer  
Jennifer Snyder, CGA, Assistant Township Secretary

**CALL TO ORDER:** Mr. D. Richard Francke, Council Chair, called to order the August 4, 2022, Regular Meeting of the College Township (CT) Council at 7:14 PM and led in the Pledge of Allegiance.

**ANNOUNCEMENT:** Chair Francke offered that Council met in Executive Session prior to the start of this meeting, August 4, 2022, to discuss personnel matters.

**OPEN DISCUSSION:**

*No Open Discussion* items brought forward.

**NEW AGENDA ITEMS:**

*No New Agenda Items* were brought forward for action on the agenda.

**SPECIAL PRESENTATION**

**SP-1 501 Struble Road, Zoning Change Request; Penn Terra Engineering**

Mr. John Sepp, Penn Terra Engineering, representing Ed Maxwell, offered that his client would like to rezone a 3-acre piece of Tax Parcel 19-004-,078,0000-, 501 Struble Road, which is



adjacent to Mr. Maxwell's business, Maxwell Trucking. Mr. Maxwell would like to put a storage shed on this parcel but this is not an allowed use in the Forest District. They would like to rezone these 3-acres to General Industrial, which would require the expansion of the Sewer Service Area and a Development of Regional Impact (DRI) Application would have to be submitted. Ms. Schoch, AICP, Principal Planner, explained the DRI process.

Council discussed the rezoning request, the location of the property and the proposed use. Staff offered that Patton Township would not have to approve the rezoning, as it is adding acreage to the Township's Industrial zone, which is a shared use. Mr. Mark Boeckel, Centre Region Planning Agency, answered questions from Council regarding the Sewer Service Area and the Regional Growth Boundary and the requirements for submitting a DRI application. A consensus of Council was in favor of moving forward with this rezoning request.

**Ms. Stilson made a motion to remand the rezoning request change for 501 Struble Road, State College, to the Planning Commission.**

**Mr. Takac seconded the motion.**

**Motion carried unanimously.**

## **REPORTS:**

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

Mr. Brumbaugh, Township Manager, offered that the contaminated, not hazardous, soil found at the Pike Street project, has been removed by a licensed disposal company. The temporary closure of Pike Street ended at the end of the business day on August 1, 2022. An LTAC meeting was held to review the Trans Associate Study. The Neighborhood Committee will review the information provided and formulate a plan for consideration by LTAC and Council.

The consultants for the Spring Creek Park Master Plan has been delayed in preparing the DRAFT report. The Assistant Township Manager submitted the CFA Multimodal Transportation Fund grant, and, lastly, the emergency repair work on the Thompson Run footbridge was successfully completed. The bridge is now open.

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

**CT Industrial Development Authority (CTIDA):** Mr. Takac reported the CTIDA met in a Special Meeting on August 4, 2022, and considered a loan modification for the Abington Equine Hospital. The loan modification was not approved. The CTIDA will consider a new loan agreement that will work its way through the established process.

**Local Traffic Advisory Committee (LTAC):** Ms. Stilson reported the LTAC met on July 27, 2022, and reviewed the Trans Associates study for the Centre Hills Village Traffic Calming. The Neighborhood Committee will review the information provided and formulate a plan for consideration by LTAC and Council.

**COG Human Resources Committee (HR):** Mr. Best reported that the HR Committee met on August 3, 2022, and elected a Vice Chair (Mr. Best), received an update on the Class and



Compensation Study, approved the 2023 budget proposals for the Employee Relations Committee and Wellness Budget, and approved HR Administrator job description.

**Land Use and Community Infrastructure (LUCI) Committee:** Mr. Bernier reported the LUCI Committee met on August 4, 2022, and discussed the vacancies in the Planning Office. They also heard an update on the progress of the Centre County Solutions-Based Affordable Housing Study.

**Parks and Recreation Governance Committee:** Chair Francke reported the Parks and Recreation Governance Committee met on July 27, 2022, and continues to discuss the mission and purpose for the Authority and the best governance structure to achieve the mission/purpose.

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

**Planning Commission (PC):** Ms. Lindsay Schoch, AICP, Principal Planner, reported the PC met on August 2, 2022, and nominated two (2) members to sit in the RFQ review committee.

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

No *DEI reports* were brought forward.

**CONSENT AGENDA:**

**CA-1 Minutes, Approval of**

- a. July 21, 2022, Public Hearing Ordinance O-22-02
- b. July 21, 2022, Public Hearing Resolution R-22-11
- c. July 21, 2022, Regular Council Meeting

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

- a. Email from Frank Mellot, dated July 21, 2022, regarding Twp. Resident – Support Casino
- b. Email from Daniel Materna, dated July 22, 2022, regarding Commonwealth Court – Docket Number 249 MD 2021
- c. Letter from Penn Terra Engineering, dated July 19, 2022, regarding Request for a Zoning Change, 501 Struble Road
- d. Email from Jeanne Houston, dated July 22, 2022, regarding Proposed Casino at Nittany Mall
- e. Email from John Pitterle, dated July 22, 2022, regarding Reject the Casino
- f. Email from Barry Kroeker, dated July 22, 2022, regarding Nittany Mall Casino
- g. Email from Debbie Trudeau, dated July 22, 2022, regarding Proposed Casino
- h. Email from Kristen McTernan, dated July 23, 2022, regarding Oppose Casino License
- i. Email from Joanna Haushalter, dated July 25, 2022, regarding Please Commission your own independent impact study
- j. Email from Andrew Shaffer, dated July 25, 2022, regarding Follow-up Regarding Impact Report for Proposed Casino at Nittany Mall



- k. Email from Daniel Materna, dated July 25, 2022, regarding Nittany Mall Casino - two different articles published today by two casino media outlets
- l. Email from Barbara Furman, dated July 28, 2022, regarding Nittany Mall Mini Casino
- m. Email from Tori Morris, dated July 29, 2022, regarding Penn Hills Traffic Study

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

- a. Resolution R-22-15 Amending the Township's Fee Schedule to establish fees for Ordinance O-22-02 Wireless Communication Facilities
- b. Pennsylvania Municipal League 2022 Municipal Leadership Summit: Appointment of Voting Delegate
- c. Two (2) members of Council to serve on the Review Committee - RFQ for the Preparation of a Form-Based Code for the Dale Summit Area of CT

Council discussed items on the Consent Agenda. They asked that Staff consider the development of a fact sheet related to the casino. They discussed CA-2.m and Staff added that the police have been notified to patrol this area, as the stop signs are enforceable. Watch Children signs have been ordered and will be installed once they arrive.

Chair Francke and Mr. Bernier will represent College Township at the Pennsylvania Municipal League at their Leadership Summit as Voting Delegates.

Mr. Best and Mr. Bernier will serve on the RFQ review committee.

**Mr. Takac made a motion to approve the August 4, 2022, Consent Agenda.**

**Ms. Stilson seconded the motion.**

**Motion carried unanimously.**

**OLD BUSINESS:**

**OB-1 ABC Appointments**

- a. **Resolution R-22-16 Alternate Planning Commission Member**

Council interviewed a candidate for a second alternate on the Planning Commission. Resolution R-22-16 authorizes the establishment of second alternate on the PC with Mr. Jack Igoe as the candidate to be appointed.

**Mr. Takac made a motion to approve Resolution R-22.16 with Mr. Jack Igoe as second alternate on the College Township Planning Commission.**

**Ms. Stilson seconded the motion.**

**Motion carried unanimously.**



**b. Appointment to the CT Industrial Development Authority**

Council seeks to fill a vacancy on the College Township Industrial Development Authority to fill the unexpired term of Mr. Bill Sharp. Both Mr. Ed Darrah and Mr. Ray Liddick, who currently serve on other Authorities, Boards and Commission, offered to fill this vacant seat.

**Ms. Stilson moved to appoint Mr. Ray Liddick to the College Township Industrial Development Authority to fill the unexpired term of Mr. Bill Sharp.**

**Mr. Best seconded the motion.**

**Motion carried unanimously.**

**NEW BUSINESS:**

**NB-1 COG 2023 Program Plan**

Council/Staff had no specific comments related to the Program Plan.

**NB-2 COG 2023-2027 Capital Improvement Plan**

A matrix was provided by COG to aide in the discussion of the 2023-2027 Capital Improvement Plan (CIP). Mr. Brumbaugh, Township Manager, and Mr. Long, Finance Director, provided written comments on the CIP matrix for Council to consider. Council spent considerable time reviewing and offering comments on the 2023-2027 CIP, which the manager will pass along to the COG. The deadline to provide comments in August 18, 2022. Mr. Eric Nornberg, COG Executive Director, attended the meeting and added clarification and answered questions from Council and Staff.

**NB-3 Chapter 160 Residential Rentals; Potential Revisions**

Ms. Lindsay Schoch offered that at the July 21, 2022, CT Council meeting, two residents spoke to Council regarding their withdrawn permit to operate a short-term rental (STR). This couple was seeking to rent their home for six months out of the year when they live in another state. Staff notified them that, without proper proof of residency, the application could not be approved, as the STR ordinance states that the home has to be the primary residence of the applicant. The Township Solicitor offered that proof of residency would include a PA Driver's License, voter registration or proof of taxes (other than property tax) paid in PA.

Ms. Schoch added that in her experience, it is best to work with a newly enacted ordinance for a least a year before reconsidering various elements in the ordinance. CT enacted the Residential Rentals Ordinance O-20-09 on December 3, 2020. The Township has contracted with Granicus, a host compliance company, to monitor STRs.

Council is being asked to reexamine the ordinance, including definitions and the requirement for a home to be owner-occupied/principal residence when requesting a STR permit.



Ms. Schoch provided Council with examples from the Borough of State College and Ferguson Township's STR ordinances. Like College Township, the Borough of State College is also utilizing Granicus to monitor their ST

Ms. Schoch asked Council to consider the intent of the ordinance, which was carefully considered to ensure the health, safety and welfare of our residents and the community at large.

Staff does not recommend that Council make any changes to the ordinance until the Township has more time to work with Granicus and then do a comprehensive review for any changes needed.

Council asked about Granicus and their ability to look at historical data. Council understands the urgency of the request to revisit the ordinance. Any changes to the ordinance would have to be enforceable. Determining how many days a homeowner lives in their residence would be difficult to enforce. A consensus of Council agreed that the current STR ordinance is a strong ordinance.

Mr. Malcholm Morrison, Lemont, offered that he resides half the year in Florida and about half the year in Lemont. He and his wife are active members of the community. This is a second home to them and not an investment property. They are concerned with the quality of life for the neighborhood. He asks Council to find the appropriate wording to allow for this snowbird type of living situation and the ability to rent their home short-term.

Mr. Pete Schempf, Harris/Patton Township Resident, has a home on Puddintown Road that was the home of his deceased family member. He would like to rent out this home as a STR. He maintains the property himself and because he does not reside in the home, he has been told he is not allowed to rent this home as a STR. He does not agree with this determination.

A consensus of Council could see the advantage of waiting until the Township has worked with Granicus for at least a six-month period before reviewing the ordinance. Mr. Best would like to act quickly and begin a comprehensive review of the ordinance.

Staff will bring back the Short Term Rental Ordinance to Council at the beginning of January 2023.

#### **STAFF INFORMATIVES:**

The Pedestrian Facilities Master Plan public hearing has been scheduled for the October 20, 2022, CT Council meeting.

#### **OTHER MATTERS:**

Mr. Best discussed a grant for invasive species removal. This will be added to the next CT Council meeting on August 18, 2022, for discussion.



**ADJOURNMENT:**

**Mr. Takac moved to adjourn the August 4, 2022, Regular College Township Council Meeting.  
Chair seconded the motion.**

Chair Francke adjourned the August 4, 2022, Regular College Township Council Meeting at 11:07PM.

Respectfully Submitted By,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Secretary