



**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Thursday, September 15, 2022
7:00 PM**

**1481 E. College Avenue, State College PA 16801
Hybrid Meeting (In-Person or via Zoom)**

**ATTENDED BY –
COUNCIL:**

Carla Stilson, Vice Chair
Paul Takac
Dustin Best

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Mike Bloom, Assistant Township Manager
Don Franson, Township Engineer
Amy Kerner, P.E., Public Works Director
Lindsay Schoch, AICP, Principal Planner
Mark Gabrovsek, Zoning Officer

ABSENT:

D. Richard Francke, Chair
L. Eric Bernier

CALL TO ORDER: Ms. Carla Stilson, Vice Chair, called to order the September 15, 2022, Regular Meeting of the College Township (CT) Council at 7:00 PM and led in the Pledge of Allegiance. Vice Chair Stilson announced that there was not a quorum present at the meeting. Mr. Best is expected to join the meeting shortly.

OPEN DISCUSSION:

No Open Discussion items brought forward.

NEW AGENDA ITEMS:

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

Dustin Best, Council, joined the meeting at 7:05 PM making a quorum..

SPECIAL PRESENTATION: SP-1 CT Zoning Hearing Board Annual Update

Mr. Dan Klees, College Township Zoning Hearing Board (ZHB) Vice Chair, offered the ZHB held two (2) hearings since their last report to Council one year ago. Case #2021-002, Kunes/Spring Creek Presbyterian Church, 144 -150 Mary Street, Lemont, variance requests, approved by Council. Case #2022-001, Harold Altman, Inc., 729 & 733 Berry Street, Lemont, dimensional and setback variances, approved by Council.



Mr. Klees opined the ZHB is solid team with solid members. They work well together, sharing differing viewpoints, but come together to make good decisions. Mr. Klees added the ZHB is a five-member board, appointed by the CT Council, to serve five-year terms. Members of the ZHB cannot serve on any other elected or appointed position in the Township because the ZHB is a quasi-judicial appointment.

The following individuals serve on the CT ZHB: Ben Eltz, Chair – term ends 2025, Dan Klees, Vice Chair – term ends 2026, Shaun Pardi – term ends 2023, George Khoury – term ends 2024, and Steven Lyncha – term ends 2022. Mr. Klees noted that Mr. Lyncha took the Pennsylvania State Association of Township Supervisors (PSATS) class *Duties of a Zoning Hearing Board* this past year; three (3) of the five (5) members have taken this class through PSATS.

The following are support persons for the ZHB: Mr. Jeffrey Stover, ZHB Solicitor; Susan Hetzel, CT Senior Support Specialist; Mark Gabrovsek, CT Zoning Officer; and Frank Scott, CT Senior Enforcement Officer. Mr. Klees offered thanks to these individuals.

Council thanked Mr. Klees for his service and his report.

REPORTS:

a. Manager's Update

Mr. Adam Brumbaugh, Township Manager, offered that work continues on Pike Street. He noted that firms to be interviewed for the Dale Summit Area Plan Form Based Code RFQ have been notified to complete full submissions. An LTAC meeting has been set for September 28, 2022, at 7:00 PM. Notices will be sent this week to the neighborhood.

b. COG Regional, County, Liaisons Reports

College Township Industrial Development Authority (CTIDA): Mr. Takac reported the CTIDA held a special meeting on September 7, 2022, with the CBICC to work on rebuilding the relationship between the organizations. CTIDA committee meetings are going well.

COG Public Safety: Mr. Takac reported the COG Public Safety Committee met on September 13, 2022, and discussed the adjustment of the 2023 budget for additional staff for the fire program and RFP for Reznor heaters in engine bay.

COG Climate Action and Sustainability: Ms. Stilson reported the CAS Committee met on September 12, 2022, and reviewed the regional refuse and recycling 2025 contract priorities and request for funding for consulting services. A motion was made approved to forward budgeting for a consultant in 2023. They also discussed the compost drop-off pilot review and analysis and the rate increase coming down the pipeline for Centre County Refuse and Recycling Authority.

c. Staff/Planning Commission/Other Committee Reports



Planning Commission (PC): Ms. Schoch reported the PC had an educational special presentation by Steve Bair, Centre Region COG Fire Director. They discussed the Pedestrian Facility Master Plan remand and the rezoning of the Maxwell property.

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

Vice Chair Stilson offered information about National Hispanic Heritage month celebrated September 15 through October 15.

CONSENT AGENDA:

CA-1 Minutes, Approval of

- a. September 1, 2022, Regular Council Meeting

CA-2 Correspondence related to the Nittany Mall Casino

- a. Email from Dornich Family, dated August 29, 2022, regarding casino
- b. Email from Christine Stuart, dated August 29, 2022, regarding casino
- c. Email from Margaret Higgins, dated August 29, 2022, regarding casino
- d. Email from Tammy Farrell, dated August 29, 2022, regarding casino
- e. Email from Laura Van Velsor, dated August 29, 2022, regarding casino
- f. Email from Diana Fishbein, dated August 29, 2022, regarding casino
- g. Email from Celeste Henderlong, dated August 29, 2022, regarding casino
- h. Email from Lydia Vandenbergh, dated August 29, 2022, regarding casino
- i. Email from Nancy Maso, dated August 29, 2022, regarding casino
- j. Email from SES SES, dated August 30, 2022, regarding casino
- k. Email from Sandra Foulkrod, dated August 30, 2022, regarding casino
- l. Email from Daniel Materna, dated August 30, 2022, regarding casino
- m. Email from Daniel Materna, dated August 30, 2022, regarding casino
- n. Email from Mary Hutchinson, dated August 31, 2022, regarding casino
- o. Email from Wayne Raifsnider, dated August 14, 2022, regarding casino
- p. Email from Frank Ritter, dated August 20, 2022, regarding casino
- q. Email from Barbara Yingling, dated August 28, 2022, regarding casino
- r. Email from Cindy Pasquariello, dated August 31, 2022, regarding casino
- s. Email from Ashley Miller, dated August 31, 2022, regarding casino
- t. Email from Paul Bucher, dated August 31, 2022, regarding casino
- u. Email from Suzanne Wills, dated September 1, 2022, regarding casino
- v. Email from Nicole Zembower, dated September 1, 2022, regarding casino
- w. Email from John Pitterle, dated September 3, 2022, regarding casino
- x. Email from Melinda Ohlson, dated September 3, 2022, regarding casino
- y. Email from Marc McCann, dated September 3, 2022, regarding casino
- z. Email from Elizabeth Pula, dated September 3, 2022, regarding casino
- aa. Email from David Hatfield, dated September 3, 2022, regarding casino
- bb. Email from Roy and Mary McKinney, dated September 3, 2022, regarding casino
- cc. Email from Brian Latterner, dated September 3, 2022, regarding casino
- dd. Email from David A. and Sandy MacDonald, dated September 3, 2022, regarding casino
- ee. Email from Phyllis Gardner, dated September 4, 2022, regarding casino
- ff. Email from Daniel Materna, dated September 4, 2022, regarding casino
- gg. Email from Avis and J. Alfred Jones, M.D., dated September 4, 2022, regarding casino
- hh. Email from Mardi Frye, dated September 4, 2022, regarding casino
- ii. Email from Dawn Vanden Heuvel, dated September 5, 2022, regarding casino



- jj.** Email from Barb Saxton, dated September 5, 2022, regarding casino
- kk.** Email from Barbara Steen Furman, dated September 5, 2022, regarding casino
- ll.** Email from Daniel Materna, dated September 6, 2022, regarding casino
- mm.** Email from Bruce Grinder, dated September 7, 2022, regarding casino
- nn.** Email from Jesse McTernan, dated September 7, 2022, regarding casino
- oo.** Email from Earl Moore, dated September 7, 2022, regarding casino
- pp.** Email from Evan Mascitti, dated September 8, 2022, regarding casino
- qq.** Email from Susan Streit, dated September 8, 2022, regarding casino
- rr.** Email from B.J. Black, dated September 10, 2022, regarding casino
- ss.** Email from Lisa Bolton, dated September 10, 2022, regarding casino
- tt.** Email from Paul Clark, dated September 10, 2022, regarding casino
- uu.** Email from Jeanne Houston, dated September 10, 2022, regarding casino
- vv.** Email from Kathryn Pollard, dated September 10, 2022, regarding casino
- ww.** Email from Rick Sargo, dated September 10, 2022, regarding casino
- xx.** Email from Peggy Bixler, dated September 10, 2022, regarding casino
- yy.** Email from Michele Ebaugh, dated September 10, 2022, regarding casino
- zz.** Email from Susan Strauss, dated September 10, 2022, regarding casino
- aaa.** Email from Barbara Gross, dated September 10, 2022, regarding casino
- bbb.** Email from Dottie Sandusky, dated September 10, 2022, regarding casino
- ccc.** Email Clara Strausser, dated September 10, 2022, regarding casino
- ddd.** Email from Margaret Ellis, dated September 11, 2022, regarding casino
- eee.** Email from Dr. Joan Nessler, dated September 11, 2022, regarding casino
- fff.** Email from Phyllis Gardner, dated September 11, 2022, regarding casino
- ggg.** Email from Marsha Freije, dated September 11, 2022, regarding casino
- hhh.** Email from Jonathan Eckert, dated September 11, 2022, regarding casino
- iii.** Email from Heather Ricker-Gilbert & Harvey Gilbert, dated Sept. 11, 2022, regarding casino
- jjj.** Email from Carol Hine, dated September 11, 2022, regarding casino
- kkk.** Intentionally left blank
- lll.** Email from Jack Basiago, dated September 11, 2022, regarding casino
- mmm.** Email from Ben Hagerup and family, dated September 11, 2022, regarding casino
- nnn.** Email from Sheridan Miyamoto, dated September 11, 2022, regarding casino
- ooo.** Email from Karl Mierzejewski, dated September 11, 2022, regarding casino
- ppp.** Email from Don and Peggy Myers, dated September 11, 2022, regarding casino
- qqq.** Email from Edward Kaiser, dated September 11, 2022, regarding casino
- rrr.** Email from Arthur Person, dated September 12, 2022, regarding casino
- sss.** Email from Barb Saxton, dated September 12, 2022, regarding casino
- ttt.** Email from Meg Smith, dated September 12, 2022, regarding casino
- uuu.** Email from Susan Person, dated September 12, 2022, regarding casino
- vvv.** Email from Sarah Schwartz, dated September 12, 2022, regarding casino
- www.** Email from Gina and Don Leon, dated September 12, 2022, regarding casino
- xxx.** Email from Stephen Ragusea, dated September 12, 2022, regarding casino
- yyy.** Email from Andrew Shaffer, dated September 12, 2022, regarding casino
- zzz.** Email from Richard McCoy, dated September 12, 2022, regarding casino
- aaaa.** Email from Sonya Woods, dated September 12, 2022, regarding casino

CA-3 Correspondence, Receipt/Approval of

- a.** Letter from Gordon Kauffman III, dated August 22, 2022, regarding Skate Park
- b.** Email from Bob Kellar, dated September 1, 2022, regarding Lemont Road construction fiasco
- c.** Letter from Borough of State College, dated July 19, 2022, regarding resolution 1323 – Protect access to health care



- d. Email from Niel Brandt, dated September 2, 2022, regarding Status of SCB-CT Thompson Woods Preserve oversight board
- e. Email from Christian Kurpiel-Wakamiya, dated September 3, 2022, regarding Winter Maintenance of path to Spring Creek Elementary
- f. Letter from Penn Environment, dated September 6, 2022, regarding an initiative to protect the Keystone State's natural heritage
- g. Email from Bruce Grinder, dated September 7, 2022, regarding Refuse Collection Pilot
- h. Press Release from CATA, dated September 2, 2022, regarding Game Day Shuttles

CA-4 Action Item, Approval of

- a. 2023 Minimum Municipal Obligation Certification for Township's Retirement Plan
- b. Engineering Services Contract with Norris & Assoc., \$12,000.00 for Pedestrian Bridge Heating specification work.

Council asked to pull the following: CA-3.e, CA-3.a., and CA-3.f.

Mr. Takac made a motion to approve the September 15, 2022, Consent Agenda minus CA-3.a., CA-3.e., and CA-3.f.

Mr. Best seconded the motion.

Motion carried unanimously.

CA-3.e.: Winter Maintenance of bike paths: Council asked Staff to determine the cost change associated with an increase level of service and asked Staff to reach out to the School District about possible partnership to provide services. Ms. Kerner will gather information and bring back to Council. She will contact the requestor with updated information.

CA-3.a.: Action Sports Park: Staff will work with Mr. Kauffman to schedule a Special Presentation regarding the Action Sport Park project.

CA-3.f.: PennEnvironment Research and Policy Center: Council asked that Staff add this topic to a future agenda for discussion.

Mr. Takac made a motion to accept CA-3.a., CA-3.e., and CA-3.f.

Mr. Best seconded the motion.

Motion carried unanimously.

Vice Chair Stilson moved OB-3 to this point in the meeting.

OLD BUSINESS:

OB-3 Draft FAQ's for Proposed Nittany Casino

In a memorandum to Council, dated September 12, 2022, Mr. Mike Bloom, Assistant Township Manager, offered that Staff has updated the DRAFT Frequently Asked Questions (FAQs) and the DRAFT Timeline of Significant Events for review by Council. Mr. Bloom emphasized that both documents are "living documents" that will continue to be revised and expanded throughout the decision making process around the proposed Nittany Mall Casino.



Council added the following suggested for addition to the FAQ:

- Land Development Plan approval was a review of the external improvements to the property only – nothing internal;
- Act 63, August 30, 2019, no Category 4 licenses available at that time; and
- Visual of municipalities that did not “Opt-Out” that falls within the 15-mile radius of Unionville Borough.

Council opened it for Public Comments on the FAQ. No comments were brought forward.

Council agreed that Staff should go ahead and post the FAQ and Timeline once the DRAFT has been updated.

Staff offered an update relative to the casino since the last Council meeting. Mr. Brumbaugh offered that Staff wrote a letter to Solicitor Glantz for a legal opinion on several items. The letter was included in the OB-3 packet. Mr. Brumbaugh offered Staff made progress on the impact study. Staff made contact with several other Category 4 Casino hosting municipalities. Also, Chief Gardner was contacted about the ability to gain access to crime code/statistics for these other areas where casinos are located.

Council discussed the following related to the casino:

- Search police data specifically by location to get data that is relevant;
- Staff will share Impact Study results when they are available;
- Representing the majority of constituents on this matter and how to accurately evaluate;
- Council will meet in an Executive Session to discuss the legal opinion of the Solicitor; and
- Council will hold a public meeting prior to the next CT Council meeting or information will be shared with the public at the October 6, 2022, meeting.

Vice Chair Stilson opened it up to the public at this time for general comments on the Casino. She limited the time to 20 minutes.

Dorothy Sandusky, CT resident, offered comments against the casino.

Alicia Hughes, CT resident, offered comments against the casino.

David Hatfield, CT resident, offered comments against the casino.

Carol Camargo, CT resident, offered comments against the casino.

Kristin Boccumini, CT resident, offered comments against the casino.

Steve Smith, CT resident, offered comments against the casino.

Elizabeth Poola, Ferguson Township, offered comments against the casino.

Andrew Shaffer, State College Borough, offered comments against the casino.



Jessi McTernan, State College Borough, offered comments against the casino.

James Bennett, Patton Township, offered comments against the casino.

Joan Bouchard, Patton Township, offered comments against the casino.

Randolph Hudson, Ferguson Township, offered comments against the casino.

Susan Jackson, Ferguson Township, offered comments against the casino.

OB-1 Review of Proposed Landscaping Plan for CT Building Parking Area

Ms. Amy Kerner, P.E., Public Works Director, offered that quotes were received for the replanting of the south side of the municipal building parking lot. All three (3) quotes were over the budgeted amount; however, all were relatively close in pricing. Staff believes the low quote represented a fair and equitable price. Scott's Landscaping submitted the lowest quote and indicated they can complete the planting in late September or early October.

Ms. Kerner offered the original landscaping plan was reviewed. She explained the steps necessary to implement a complete plan; the remaining pear trees and various shrubs near the entrance to the parking lot will be removed to conform to the original land development plan. She presented Council with the proposed plan. A variety of shrubbery plants and a variety of trees were selected to avoid a monoculture and are deer resistant.

Council discussed using plants native to North America and the mission of the COG Climate Action and Sustainability Committee as it relates to plantings. Staff will work on a plan to incorporate native plants in the proposed plan and delay target planting date to the spring.

OB-2 Proposed Ordinance Revisions – Pedestrian Facilities Master Plan

In a memorandum to Council, Ms. Lindsay Schoch, AICP, Principal Planner, offered the Planning Commission (PC) reviewed the Pedestrian Facilities Master Plan, as remanded by Council, and offered changes for Council's consideration. If Council agrees with the outlined changes to the Draft Pedestrian Facilities Master Plan and Draft ordinance, a public hearing date should be set. Staff is recommending the date for the Public Hearing be set for the November 17, 2022, CT Council meeting.

Council supported the PC recommendations and offered no further changes.

Mr. Mike Bloom added as a reminder, the Pedestrian Master Plan public input period would run through October 13, 2022. A public Open House will be scheduled.

Mr. Takac made a motion to set a Public Hearing for comment and review for Draft Ordinance O-22-04 on November 17, 2022.

Mr. Best seconded the motion.

Motion carried unanimously.



NEW BUSINESS:

NB-1 Thompson Woods Preserve – Intermunicipal Agreement

Mr. Brumbaugh, Township Manager, offered that the State College Borough Council, at their August 15, 2022, regular meeting, approved the Intermunicipal Cooperation Agreement pertaining to the governance of Thompson Woods Preserve (TWP).

Staff has prepared Resolution R-22-19, authorizing the execution of the Agreement by College Township. If approved, Staff will notify all parties identified within the Agreement to begin the process to identify members of the Governance Committee and Advisory Committee.

Mr. Takac made a motion to approve Resolution R-22-19, authorizing Council Chair and Township Manager to execute the Intermunicipal Cooperation Agreement with the Borough of State College pertaining to the governance of Thompson Woods Preserve.

Mr. Best seconded the motion.

Council thanked all those involved with finalizing and moving this agreement forward.

Motion carried unanimously.

NB-2 Renewal of PennDOT Traffic Signal Maintenance Agreement

In a memorandum to Council, Ms. Amy Kerner, P.E., Public Works Director, offered that the Township has the opportunity to apply for a Traffic Signal Technologies Grant. If awarded, this grant will fund the upgrade of the fiber network and traffic signal cabinet equipment and miscellaneous appurtenances at four (4) intersections within a connected system, all on the Benner Pike. A prerequisite of applying for the grant is that the Township must have a valid Traffic Signal Maintenance Agreement with PennDOT, which requires a Resolution authorizing the Township Manger to execute the documents.

Mr. Best made a motion to approve Resolution R-22-18 to authorize the Township Manager to execute the Traffic Signal Maintenance Agreement with PennDOT.

Mr. Takac seconded the motion.

Council asked what triggered this group of signals to be included in the grant. Ms. Kerner offered that this cluster of signals was included in an ARLE grant but was not awarded.

Motion carried unanimously.

STAFF INFORMATIVES:

No *Staff Informatives* were pulled for discussion.



OTHER MATTERS:

Mr. Brumbaugh will be attending the International City Managers Association Conference from September 16 through September 22, 2022, and will be out of the office.

ADJOURNMENT:

**Mr. Takac moved to adjourn the September 15, 2022, Regular College Township Council Meeting.
Vice Chair seconded the motion.**

Vice Chair Stilson adjourned the September 15, 2022, Regular College Township Council Meeting at 9:34 PM.

Respectfully Submitted By,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Secretary