

ATTENDANCE:

BOARD	Elliot Abrams, Chair Bryce Boyer, Vice-Chair George Downsborough, Jr., Supervisor Jeff Luck, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Brent Brubaker, Township Engineer John Petrick, Chief of Police Kim Wyatt, Finance Director Eric Vorwald, Planner
ABSENT	Betsy Dupuis, Solicitor
AUDIENCE	C-NET (3) Tim Bair, Resident Donna Bair, Resident Jeremy Hartley, Centre Daily Times Mark Torretti, Penn Terra John Houser, Penn Terra Jeff Walker, BSSF Michael Lee, Nittany Valley Sports Centre

1. **CALL TO ORDER**

The December 10, 2014 Patton Township Board of Supervisors meeting held at the Township Municipal Building was called to order at 6:58 PM by Chair Elliot Abrams.

2. **APPROVAL OF MINUTES**

Mr. Luck moved to approve the November 19, 2014 meeting minutes. Seconded by Mr. Boyer, the motion passed 4-0.

3. **PUBLIC COMMENTS**

There were no public comments.

4. **PUBLIC HEARING: AMENDING CHAPTER 175 (ZONING) OF THE CODE OF PATTON TOWNSHIP FOR THE PURPOSE OF ESTABLISHING REAR YARD SETBACKS FOR POOLS AND ACCESSORY STRUCTURES IN THE A-1 AND R-1 DISTRICTS**

Mr. Erickson stated that in July 2014, the Patton Township Board of Supervisors received a request from a resident asking that the rear setback requirements in the A-1 district be reevaluated. The resident was interested in installing a pool in their backyard, however due to the location of the house and the size of the setbacks, the installation of the pool would not be permitted. The Board of Supervisors recommended that the Planning Commission review the setback requirements for the A-1 zoning district to determine if any amendments should be proposed. Staff felt it would be appropriate to include an evaluation of the R-1 zoning district as well since the setback requirements were similar and might also warrant proposed changes. Following this meeting, a second resident approached the township with a similar concern about setback sizes regarding the installation of a detached garage on their property in the R-1 district.

At their regular meeting on September 8, 2014 meeting, the Planning Commission members recommended that the A-1 and R-1 Zoning District regulations be amended to permit swimming pools and accessory structures to be located in the rear yard setbacks. Specifically, the water's edge of a swimming pool would be permitted in the rear yard provided it was no closer than 25 feet to the rear

4. **PUBLIC HEARING: AMENDING CHAPTER 175 (ZONING) OF THE CODE OF PATTON TOWNSHIP FOR THE PURPOSE OF ESTABLISHING REAR YARD SETBACKS FOR POOLS AND ACCESSORY STRUCTURES IN THE A-1 AND R-1 DISTRICTS (CONTINUED)**

property line and accessory structures would be permitted in the rear yard provided they are no closer than 40 feet to the rear property line.

Included with the agenda was the proposed ordinance to amend the Patton Township Code. The agenda materials also include a "red-line" showing the changes proposed in the ordinance along with background information, a copy of the notice sent to property owners in the A-1 and R-1 Zoning Districts, a summary of the Public Information Session held on November 13th, an email comment received by the Township, and an email with comments from the County Office of Planning and Community Development. Comments from the Centre Regional Planning Commission will be provided prior to the meeting.

a. **Public Hearing**

The Board convened the Public Hearing Amending Chapter 175 (Zoning) of the Code of Patton Township for the Purpose of Establishing Rear Yard Setbacks for Pools and Accessory Structures in the A-1 and R-1 Districts at 7:02 PM.

Mr. Bair stated that he is the second family that is mentioned in this request and with the unique layout of his property that he does not really have a backyard and is in favor of this change.

Mr. Luck stated that CRPC is supportive of the change.

Mr. Erickson stated that the Centre County Planning office is also in favor of the change.

Mr. Downsborough stated that an email from Mr. Chaplin was in with the agenda with a concern. Mr. Erickson stated that the Township follows the Municipalities Planning Code which requires uniform application of zoning regulations throughout a zoning district. This requirement precludes making case by case judgments based on the opinion of neighboring property owners.

Mr. Downsborough moved to close the Public Hearing Amending Chapter 175 (Zoning) of the Code of Patton Township for the Purpose of Establishing Rear Yard Setbacks for Pools and Accessory Structures in the A-1 and R-1 Districts at 7:06 PM. Seconded by Mr. Boyer, the motion passed 4-0.

b. **Action Consideration**

After the Public Hearing is closed, the Board should consider action on the proposed ordinance to Establish Rear Yard Setbacks for Pools and Accessory Structures in the A-1 And R-1 Districts, of The Patton Township Code or identify revisions to be included before further consideration. Substantive revisions will require readvertisement and a new Public Hearing.

Mr. Luck moved to approve the Amending Chapter 175 (Zoning) of the Code of Patton Township for the Purpose of Establishing Rear Yard Setbacks for Pools and Accessory Structures in the A-1 and R-1 Districts. Seconded by Mr. Boyer, the motion passed 4-0.

Mr. Wise joined the Board of Supervisors Meeting at 7:07 PM.

5. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that the November 2014 Public Safety Report was included with the agenda materials and there was an increase in part one crimes due to an increase of retail thefts.

6. PUBLIC WORKS

a. Fall Road Inspection Report

Mr. Brubaker stated that a copy of the Township Engineer's Fall 2014 Road Report was included with the agenda materials. His report includes recommendations for the 2015 road maintenance program. Major items scheduled for 2015 include:

STREET	FROM	TO	RATING	LENGTH	TYPE OF WORK
Sierra Lane	Park Lane	Park Forest Avenue	59/53/44/44	2,110	Overlay/Drainage
Galen Drive	North Atherton Street	Ambledwood Way	55/55/55/53	2,950	Overlay/Drainage
Oakwood Avenue	Waddle Road	Vairo Boulevard	59	2,860	Overlay/Drainage
Marjorie Mae Street	Township Line	End	48	480	Overlay

Total Length (ft) 8,400

This item is for information only. The recommended work has been incorporated into the 2015 Budget.

7. PLANNING AND ZONING

a. Planning Commission Report

Mr. Erickson reported the Planning Commission is continued to study the Oakwood Presbyterian Church setback issue in their work session. They also discussed the "dog training as a home occupation" request with the applicant.

b. Planning Commission Recommendations

The Planning Commission will hold their December meeting on Monday, December 8, 2014. The following information was included on their agenda and may be forwarded to the Board:

PC Item 4. NITTANY VALLEY SPORTS CENTRE – MASTER PLAN

On October 28, 2014, Patton Township received a master plan for the Nittany Valley Sports Centre. This project is located at the intersection of Bernel Road and Fox Hill Road. It is currently zoned Planned Airport District (PAD) and the property is split between the mixed use and the non-residential areas of the PAD.

As proposed, the master plan outlines six phases of development that includes approximately 100,000 square feet of indoor space for competition, strength, and conditioning; three outdoor rectangular fields; three outdoor diamond fields; a private secondary school; and a hotel. The first phase of development includes approximately 75,000 square feet of indoor space and the associated parking, landscaping, and lighting.

Enclosed with the agenda was an 11x17 master plan of the Nittany Valley Sports Centre, a location map, and a copy of the marked up staff comment letter. Since this project is in the Planned Airport Zoning District, a master plan is required to be submitted and reviewed prior to land development planning. It should be noted that the applicant is working with the Public Works Staff and the Pennsylvania Department of Transportation to address traffic impact issues related with this project. Each phase will include a land development plan that will be reviewed by staff and the Planning Commission prior to final action by the Board of Supervisors.

7. **PLANNING AND ZONING (CONTINUED)**

b. **Planning Commission Recommendations (CONTINUED)**

Recommendation

Staff finds that the master plan meets all Township regulations with the following conditions:

1. Completion of all items noted on staff's marked up comment letter.

Manager's Note: If the Planning Commission recommends approval, the Board has 50 days to review the Master Plan, hold a Public Hearing on the Plan, and render a decision. The PAD regulations require that the Township provide notice via certified mail of the Public Hearing to all adjoining property owners. The deadline to take action on this plan would be January 29, 2015, unless a time extension is granted by the developer.

- **Planning Commission recommends Approval with completion of all items noted on Staff's marked comment letter;**
- **the Developer is agreeable to holding the Public Hearing on January 28, 2015**
- **If the Board wishes to review the Plan prior to the Public Hearing, that can occur at the December 10, 2014 and/or the January 5, 2015 meeting.**

Mr. Torretti stated that the master plan outlines six phases of development that includes approximately 100,000 square feet of indoor space for competition, strength, and conditioning; three outdoor rectangular fields; three outdoor diamond fields; a private secondary school; and a hotel. He stated that the first phase of development includes approximately 75,000 square feet of indoor space and the associated parking, landscaping, and lighting. He stated the second phase is an expansion of 35,000 square feet of additional indoor sports training and additional 175 parking spaces. He stated that the third phase would add an outdoor field that will not be lit then phase four would include two outdoor baseball fields and 220 parking spaces. He said the final phase would be the development of a private secondary school.

Mr. Boyer asked if there are any plans of putting in any internal fire hydrants. Mr. Torretti stated that he met with Mr. Bair and there will be three hydrants installed during phase one.

Mr. Wise asked where the second entrance is for the school. Mr. Torretti stated that there can be a loop system to get a second entrance or another entrance off of Bernel Road if needed.

Mr. Downsborough asked what the anticipated time frame is for having the traffic impact study completed for phase one. Mr. Torretti answered in February it should be completed.

Mr. Luck moved to schedule a Public Hearing on January 28, 2015 on the Nittany Valley Sports Centre – Master Plan. Seconded by Mr. Downsborough, the motion passed 5-0.

7. **PLANNING AND ZONING (CONTINUED)**

b. **Planning Commission Recommendations (CONTINUED)**

PC Item 5. **TEMPORARY USE PERMIT – FRIENDS & FARMERS COOPERATIVE ON-LINE MARKET**

Mr. Ericson stated that [The Friends & Farmers Cooperative](#) is a locally based cooperative that was formed to support local producers and growers and offer a platform to these businesses to sell their products. The on-line market offers a way for members of the community to purchase items from the local businesses and have products available for pick-up one day per week. This allows the cooperative an opportunity to establish a presence in the community without requiring a physical location.

The Friends & Farmers Cooperative has partnered with the Good Sheppard Catholic Church along Gray's Woods Boulevard to serve as a location where on-line orders can be picked up one day per week. Since this use is not currently permitted, a temporary use permit would need to be approved. In order to allow the on-line market to begin operations on December 1st, an interim temporary use permit was issued that is valid for 60 days. An application for an annual temporary use permit has been submitted and, if approved, would be valid for all of 2015.

The Planning Commission should review the temporary use permit application and provide any comments to the Patton Township Board of Supervisors for their consideration. Since this is the first application for this temporary use it requires review by the Planning Commission. Future applications for this use could be approved administratively.

- **Planning Commission recommends Approval**

Mr. Luck moved to approve the Temporary Use Permit – Friends & Farmers Cooperative On-line Market. Seconded by Mr. Boyer, the motion passed 5-0.

c. **Request for Waiver for Lot Size for the Keeping of Chickens**

A Park Forest resident with 0.47 acres is requesting a waiver from the 0.50 acre minimum. (Because these regulations are outside the Zoning and Subdivision regulations, the authority to provide a waiver rests with the Board of Supervisors.) Along with the request letter, the Manager has also provided, with the agenda materials, an aerial photo of the neighborhood showing individual homes, lots lines and sizes.

The Board deferred the matter to a future meeting.

8. **ADMINISTRATION**

a. **Fee Schedule Changes**

The Board should consider action to approve a Resolution amending the Township's Fee Schedule by incorporating the following changes:

- Add Building Code Permit fee schedule for "New Industrialized Housing"; fees are set at 80% of "1 and 2 Family Residential. (Sections 1.A-2 of the Fee Schedule)
- Increase the Fire Safety Permit Fee by increasing the Reduction Factor ("R") from 0.88 to 1.0. (Section I.B of the Fee Schedule)

8. **ADMINISTRATION (CONTINUED)**

a. **Fee Schedule Changes**

- Increase Rental Housing permit fees by \$7.00 per year. (Sections I.C 1. and 2. of the Fee Schedule)
- Reduce Rental Housing permit fees for Fraternity or dormitory by \$5.00 per year. (Section I.C 3. of the Fee Schedule)
- Provide a new category of Building Permit Fee for “Applicant requested accelerated plan review or inspection outside normal business hours”; fee rate is set at one-and-a-half times the normal hourly rate. (Section I.H 1. of the Fee Schedule)
- Reduce Refuse and Recycling Collection Fees to \$15.61 per month for Unlimited (8 bag) and increase the fee by a penny to \$12.61 per month for Low Usage (Section IV.A.1 of Fee Schedule)
- Changes to Sewage Enforcement fees to coincide with new Primary SEO for the Township (Section V. of Fee Schedule):
 - Increase fee for new permits by \$50 to \$750 (Section V.A.1)
 - Increase fee for repair permits to \$175-\$750 (Section V.A.2)
 - Increase fee for minor permits by \$25 to \$100 (Section V.A.5)
 - Add fee for “Abnormal application fee surcharge” of \$40/hr (Section V.A.8)
 - Add fee for “Trip for unprepared holes or client no show + mileage” (Section V.A.10) \$75

The agenda materials included the Resolution updating the fee schedule, and a spreadsheet with a history of refuse and recycling fees from 2009 to 2015. The Board should consider action to adopt Resolution 2014-013 to update the fee schedule.

Mr. Luck moved to adopt Resolution 2014-013 to update the fee schedule. Seconded by Mr. Boyer, the motion passed 5-0.

b. **Adoption of Capital Improvement Plan 2015-2019, 2015 Township Budget, and 2015 Council of Governments Budget.**

Please bring your copies of these documents:

[2015 Township Budget](#) [2015 Township Line Item Detail](#) [2015 COG Summary Budget](#)

Mr. Erickson stated that in October the Board received and reviewed the recommendation for the Township's five year [Capital Improvement Plan](#) (CIP). The CIP provides an additional financial planning tool that serves as a companion to the Township's annual Budget, focusing on major capital projects, significant operational increases (e.g. staff additions or COG programmatic changes), and long-term financing options. The updated 2015-2019 CIP, is included with the agenda materials.

At the November 12, 2014 meeting the Manager presented his recommended budget, incorporating the current elements of the CIP, which the Board tentatively adopted with no change to current tax rates. This Tentative 2015 Township Budget was advertised for a Public Hearing, which was held on November 19, 2014. The Board received no comments from the Public Hearing.

8. **ADMINISTRATION (CONTINUED)**

b. **Adoption of Capital Improvement Plan 2015-2019, 2015 Township Budget, and 2015 Council of Governments Budget (CONTINUED)**

The 2015 Township Budget presented for final adoption provides for no increase in tax rates and the following totals:

Revenue	\$14,240,991
Expenditures	\$14,834,513
Revenue less Expenses	\$ (593,522)
Ending Cash Balance	\$ 1,747,102

The 2015 Township Budget must be adopted by December 31, 2014.

At the November 24, 2014 General Forum meeting the 2015 Centre Region Council of Governments Budget was approved and referred to the municipalities for adoption. Approval of the 2015 Township Budget would incorporate approval of the 2015 COG Budget.

The Board should consider the following actions to adopt the 2015-2019 CIP and the 2015 Township Budget:

- o Approval of a 2015-2019 Capital Improvement Plan Resolution 2014-014
- o Approval of a 2015 Budget Resolution 2014-015
- o Approval of a 2015 Property Tax Rate Resolution 2014-016

Mr. Luck moved to adopt the 2015-2019 CIP and the 2015 Township Budget which includes Resolution 2014-014, Resolution 2014-015 and Resolution 2014-016. Seconded by Mr. Boyer, the motion passed 5-0.

9. **CONSENT AGENDA**

The items included below are routine in nature and it is not anticipated that any will generate discussion or questions. The actual Consent Agenda with a brief description of each item is included with the agenda packet materials distributed to the Board and will also be available to the public at the sign-in table. At the request of a Board member any single item or all items on the Consent Agenda can be discussed and voted on separately. If no items are "pulled," the Board should consider a motion for "approval of the Consent Agenda items as shown on the agenda."

a. **PUBLIC SAFETY**

1) **Police Pension Plan Employee Contributions for 2015**

The 2013-2016 contract with the Police Officers' Association provides that employee contributions for the Police Pension Plan will be 5.0 percent of base salary for 2015. A confirming resolution is required on an annual basis.

It is recommended that the Board adopt Resolution 2014-017 (copy enclosed) confirming the 2015 contribution rate of 5.0 percent.

9. **CONSENT AGENDA (CONTINUED)**

b. **PUBLIC WORKS**

1) **Materials Bids**

The Township has advertised for and received bids for the supply of concrete, asphalt, and bituminous road materials. A copy of the Township Engineer's Bid Tabulations and recommendation is enclosed.

It is recommended that the Board award the contracts for materials as recommended by the Engineer by memo dated December 1, 2014, and authorize the Manager to execute the agreements.

2) **PennDOT Resolution for submitting Traffic Signal Applications for the Waddle Road Interchange Improvement Project**

The Township must pass a Resolution (enclosed) authorizing signatures on the Form TE-160 to the Department of Transportation for review and approval of traffic signal permits.

It is recommended that the Board approve Resolution 214-018 and authorize the Manager to sign and submit required documents.

3) **Assistant Zoning Officer Appointment – Nicole Harter, PW Secretary**

It is recommended that the Board appoint Ms. Harter as an Assistant Zoning Officer.

c. **ADMINISTRATION**

1) **Voucher Report**

A copy of the November 2013 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

It is recommended that the Board approve the November 2013 Voucher Report.

2) **Re-appointments to Authorities, Boards and Commissions**

The following residents are eligible for re-appointment to their various ABC's for at least one more term. All have agreed to serve again.

Joseph Viglione	Police Pension Board	3 years
Gregory Turner	Recreation Advisory Committee	3 years
Bob Donaldson	Alt. Spring Creek Watershed Comm	1 year
Brad Yeckley	Water Authority / ICDA	5 years
Bob Mellot	Zoning Hearing Board	3 years
Gary Vrtarich	Vacancy Board	1 year

It is recommended that the Board approve the re-appointments.

Mr. Downsborough moved to approve the Consent Agenda. Seconded by Mr. Luck, the motion passed 5-0.

10. **MANAGER'S REPORT**

a. **Development Update**

Mr. Erickson stated that the Development Update was enclosed with the Planning Commission agenda.

b. **Board of Supervisors Organizational Meeting**

Mr. Erickson stated that the Board of Supervisors Organization Meeting will be held Monday, January 5, 2015 at 4:00 PM.

c. **ABC Volunteer Appreciation Dinner**

Mr. Erickson stated that the ABC Volunteer Appreciation Dinner will be held on Friday, January 23, 2015 at the Toftrees Resort.

d. **Pennsylvania Municipal League Regional Meeting**

Mr. Erickson stated that Patton Township will be hosting the PML North Central Regional meeting on April 16, 2015 at the Toftrees Resort.

e. **Executive Session for Manager's Performance Review**

Mr. Erickson stated that there will be an Executive Session for Manager's Performance Review and possibly discuss some COG litigation after the meeting.

f. **Valley Vista Drive Grant**

Mr. Erickson stated that the Township received formal notice from PennDot about the Valley Vista Drive Grant in the amount of \$800,000 but would like the Township not to start work until after July 1, 2015 and he reached out to Delta Development to see about getting an early start time approved.

11. **COMMITTEE REPORTS**

Mr. Luck stated that Transportation and Land Use met with the primary focus on bicycles and pedestrians.

Ms. Wyatt stated that at the Human Resources meeting the new Human Resource Director was introduced and the committee discussed three job descriptions that were approved.

12. **OTHER BUSINESS**

There was no other business.

13. **ADJOURNMENT**

There being no further business, by Mr. Luck's motion and Mr. Boyer's second, the meeting was adjourned at 7:48PM.

14. **EXECUTIVE SESSION**