



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

100 PATTON PLAZA – STATE COLLEGE, PENNSYLVANIA – 16803

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BOARD OF SUPERVISORS

BOARD MEETING ROOM
PATTON TOWNSHIP MUNICIPAL BUILDING

April 14, 2021 5:00 PM

***** AGENDA UPDATED *****

Updates include:

Item 1—Notices of Executive Session and EIT deadline extension to May 17th; Item 6g (474/480 Douglas Dr. Rezoning) -- rescheduled to April 28th; Item 9a --Additional items included; Item 10a -- Additional committee report attached;

PLEASE NOTE: This meeting will be conducted via ZOOM only

The Public is welcome to attend via Zoom, but may also provide comments prior to the meeting by email patton@twp.patton.pa.us or phone 814-234-0271 (ask for the Manager)

The meeting will be broadcast live on C-NET (Comcast Ch 7) and live-streamed at <https://www.youtube.com/user/CNetCentreCounty/live>

Join Zoom Meeting Information: <https://us02web.zoom.us/j/85607836394>
or Dial-up: 929-205-6099 Meeting ID: 856 0783 6394

- If you are not a Board member or a Patton Township staff member we request that you turn off your video. If you are an applicant or presenter please wait to be recognized by the Chair or Manager to turn on your video and speak.
- If you are a member of the public and would like to provide comments during Item 2; Public Comments or on a particular agenda item, please use the “raise hand” feature of the Zoom application. Please wait for the Chair to indicate that it is your opportunity to speak. Public comments will be limited to five minutes per person per item.

To receive Board agendas via email, please email a request to patton@twp.patton.pa.us
Meetings can be live-streamed at <https://www.youtube.com/user/CNetCentreCounty/live>

CALL TO ORDER

The Chair will call the meeting to order.

Please see attachment “Item 1, Meeting Conduct Policy”, for guidance on meeting decorum.

Please Note

The Board met in Executive Session on April 12th to receive advice from the Solicitor on potential litigation. The Manager and Zoning Officer were also in attendance.

Public Announcement

The deadline for filing Local Earned Income Tax returns with the Centre Tax Agency has been officially extended to May 17 to align with State and Federal deadlines.

2. PUBLIC COMMENTS

Residents may address the Board on issues of interest to the Township. Comments related to specific agenda items should be deferred until that point in the meeting.

If you are a member of the public and would like to provide comments during Item 2, Public Comments, please use the “raise hand” feature of the Zoom application. Please wait for the Chair to indicate that it is your opportunity to speak. Public comments will be limited to five minutes per person.

3. PRESENTATIONS / PUBLIC HEARINGS

a. Update from Local Members of the Governor’s Advisory Commission on Asian Pacific American Affairs

Judge Don Hahn and Dr. Nalini Krishnankutty were appointed in 2019 to Governor Wolf’s Advisory Commission on Asian Pacific American Affairs (GACAPAA) and have requested an opportunity to address the Board on the following topics:

- Language access, legal literacy, translator services, and 311
- Asian Pacific American Heritage Month and opportunities to increase awareness of current and historical Asian and Asian American Pacific Islander experiences and contributions.

This item is for information only. The Board should receive the presentation, engage as desired with the presenters, and provide the public an opportunity to ask questions or comment.

For Your Information – the Board adopted Resolution 2021-009 (enclosed) at the March 24th meeting “condemning hate, bias and exclusionary behavior towards people of color and especially Asians, Asian-Americans, And Pacific Islanders.

4. PUBLIC SAFETY

a. March 2021 Police Report

The Chief of Police will review the monthly activities of the department and respond to any questions. The March report is included with the agenda materials.

b. Local Use of Radar – Legislative Update

From the Pennsylvania Municipal League (PML)

Speed timing devices were introduced into the marketplace in the 1950s. Radar is the most cost-effective, reliable speed-timing device in use today. Pennsylvania's municipal police are the only law enforcement officials in the country who are not permitted to enforce local speed limits and protect public safety with radar.

[House Bill 606 \(PN 1027\)](#), introduced by Representative Greg Rothman, would amend Title 75 (Vehicles) authorizing the local use of both radar and LIDAR by any police officer. HB 606 is at a critical point in the legislative process. After unanimously passing out of the House Transportation Committee, the bill now awaits one more vote on the House Floor before going to the Senate. In previous years, the House has been a hurdle for moving the local use of radar, and this is the furthest the bill has progressed in the Chamber. It is more important now than ever to contact your state representatives. The House is in session the weeks of April 5, 19 and 26 and swift action that moves the bill over to the Senate in April is our best chance for achieving this long standing priority.

We need your help to encourage your House members to support this critically important public safety bill, as well as asking House leadership to bring HB 606 back to the Floor for a final vote. Please use this [sample email](#) to contact your representative requesting support for HB 606. Municipalities can also adopt a [resolution](#) in support of HB 606 and SB 419. Please visit our [Local Use of Radar webpage](#) for more information.

The sample resolution from PML is included with the agenda materials. A recent article from the Pittsburgh Post-Gazette can be accessed at <https://www.post-gazette.com/news/politics-state/2021/03/16/radar-speeding-ticket-Pennsylvania-state-House-transportation-local-police/stories/202103160170>.

The Board should review the materials provided/referenced and consider the adoption of a resolution in support of the pending legislation to permit the local use of radar for speed enforcement.

4. PUBLIC SAFETY (Continued)**c. Policy Discussion on Standards for Use of Deadly Force – Review**

UPDATE – Resident Ben Jones is unable to join the meeting until after 6pm.
The Manager recommends delaying this item until Mr. Jones is available.

As a part of the national conversation regarding policing, the Board of Supervisors is engaging with the Township's Police Department and Township residents to review and discuss various aspects of police operations. These discussions began in June of 2022 and to date have led to policy updates/changes related to procurement from federal surplus programs and the execution of search warrants.

Included with the agenda materials (Item 4c.1) is additional background information that covers:

- Pennsylvania Law on Use of Deadly Force from the PA Crimes Code
- Brief review on Landmark Deadly Force U.S. Case Law
- Current PT Police Department Policy on Use of Deadly Force
- Accreditation Standards from the PA Chiefs of Police Standards Manual

The proposed model policy, developed by resident Ben Jones, is Included with the agenda materials as Item 4c.2.

For this item the Board members should

- Review the materials provided with the agenda
- Receive brief presentations from Chief Jolley on current policy and Dr. Jones on the proposed model policy
- Solicit public input
- Identify any further information desired or needed from the presenters, the Manager, or the Solicitor to prepare for the next steps in the process as outlined below.

The tentative schedule for this matter is:

- | | |
|------------------|--|
| April 28 | Presentation and review of Chief's proposal for changes, if any, to local standard; Board members should identify any further information desired |
| May 3 – 14 | Collect public input through social media and listening sessions |
| May 26 | Review public input; review any changes to model policy or Chief's proposal; Board discussion to formulate draft policy or identify any further information needed |
| May 31 – June 11 | Review Board's draft policy with POA and others as needed |
| June 16 | Board review of draft policy resolution with potential to adopt. |

5. PUBLIC WORKS

a. Resolution to Accept Easements on Portions of the Bellefonte Central Rail Trail from Toftrees Apartments/[Berger Rentals](#)

The Township Zoning Officer has been working with the local management of Toftrees Apartments, a division of Berger Rentals, to secure easements across three properties along the Bellefonte Central Rail Trail (BCRT). The trail on parcel 18-18-03 (Highwoods Apartments, 650 & 660 Toftrees Ave.) has been upgraded and the trail on the other parcels 18-21-04 and -05 (400 to 550 Toftrees Ave.) will require substantial work over time to bring up to true rail-trail standards. Obtaining formal access rights for public use is the first step in the upgrade process. These easements have been provided at no cost to the Township.

The agenda materials include proposed Resolution 2021- 010 along with the two Easement Agreements.

For this item the Board members should

- Review the materials provided with the agenda
- Receive a brief presentation from the Manager
- Solicit public input
- Consider action to adopt Resolution 2021- 012 to accept the easements, and offer a public Thank You to the Berger organization in moving this project forward.

6. PLANNING & ZONING

a. Planning Commission Report

The Board will receive a report from Commission member Rich Schmidt on the activities of the Planning Commission.

6. PLANNING & ZONING (Continued)**b. Sketch Plan – 1869 North Atherton Street / Proposed Retail Market**

The site of this sketch plan is located at 1869 North Atherton Street, the former location of Lohr's Auto Sales and Service. This plan shows a proposed building addition of 2,523 square feet to the existing 3759 square feet.

A sketch plan is an informal plan that is typically used to show the general layout of a proposed project. Per section 153-7 ([Submission of Sketch Plan](#)), **Sketch plans are voluntary, and no formal action can be taken on them by the Township.**

For Your Information -- Sketch Plans are authorized under Section 707-A of the Pennsylvania [Municipalities Planning Code](#).

The opportunity to present sketch plans provides the developers the means to introduce projects, receive initial feedback from the Township on plan features, and explore alternatives. The Sketch plan also provide the Township officials an opportunity to ask questions regarding what is proposed and raising issues that may not have been addressed previously.

The Township staff does not conduct a review of a sketch plan or provide written comments.

The agenda materials include a location map of the property and the Sketch Plan.

The Planning Commission reviewed the sketch plan on April 5th. Chair Rater requested the developer complete the sidewalk along Boal Alley at the rear of the site.

For this item the Board members should:

- Receive a presentation of the Sketch Plan by the developers and/or their design professional
- Provide questions/comments to the developer's team
- Solicit public comments/questions
- Provide final comments/questions to the developers on Sketch Plan

c. Final Subdivision Plan; Barger Fields

From the March 10th Board meeting agenda:

The plan proposes creating 10 single-family home lots on a 82.54-acre site (Tax Parcel 18-301-40) located in the Rural District (A-1). The Preliminary Subdivision Plan was approved in August 2016.

6. PLANNING & ZONING (Continued)

c. Final Subdivision Plan; Barger Fields (Continued)

From the March 10th Board meeting agenda (Continued):

Marion Way, a public road, will be constructed to extend 750 feet into the site for access to lots 10 and 11. The remaining lots will be served by private drives. Lot 2RR will serve as the 50% open space requirement and will be an estate lot that cannot be further subdivided.

The Planning Commission has recommended conditional approval with:

- The completion of all items noted on each comment letter provided by staff
- The addition of a streetlight at the intersection of Marion Way and Buffalo Run Road (State Route 550)

The Township's subdivision regulations **do not** require the installation of streetlights at intersections, therefore the Plan cannot be denied on that basis alone.

End of March 10th agenda materials

The Board took no action on the plan at the March 10th meeting.

The applicants have now offered to install a streetlight as recommended by the Planning Commission – See Item 6c.1 of the agenda materials.

The agenda materials include a location map, Patton Township Staff plan review comments, COG Refuse and Recycling comments, and the plan set (Item 6c.2).

For this item the Board members should:

- Review the provided materials
- If desired, receive a brief introduction by the Planner
- Receive a brief presentation from the developer's project designer
- Solicit public input
- Following a motion and second, discuss the matter and consider action to conditionally approve the Plan.

6. PLANNING & ZONING (Continued)**d. Preliminary/Final Land Development Plan; Penn Highland Micro-Hospital and Medical Office Building**

Penn Highlands Healthcare is proposing a three-story micro-hospital (82,409 SF) and a two-story medical office building (32,591 SF) in the Patton Towne Center Development located in the Planned Commercial District (C-2) at the intersection of Colonnade Blvd. and Waddle Rd. A portion of this property is within the I-99 Overlay.

This is a revision to the previously approved Patton Towne Center Development and will complete the buildout of the 16.26-acre site. Parking areas will be shared with the existing Cracker Barrel and Sheetz. Appropriate parking and utilities for all business on the site will be maintained during construction activities.

There will be no change to access to the site. A new traffic signal will be installed at the entrance. The traffic study has been revised for the proposed new uses.

The Planning Commission reviewed the plan at their April 5th meeting and recommended conditional approval pending the following items:

- a. Completion of all items noted on each comment letter provided by staff
- b. Installation of a pedestrian connection between this site and the adjacent Kohl's parcel.
- c. Completion of comments provided for the Traffic Impact Statement (TIS) including funding of all mitigations outlined in Comment 27 of the Trans Associates review of the TIS.

For this item the Board members should:

- Review the provided materials
- Receive a brief introduction by the Planner
- Receive a brief presentation from the developer's project design team
- Solicit public input
- Following a motion and second, discuss the matter and consider action to conditionally approve the Plan.

The agenda materials include a location map, staff plan review comments, Alpha Fire Company and COG Refuse and Recycling comments, response letter to the Trans Associates TIS review comments, renderings of the proposed building, and the land development plans.

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6. PLANNING & ZONING (Continued)

e. Preliminary/Final Land Development Plan; Rocky Properties

This property is located at 670 Gray's Woods Boulevard. The 6.74-acre property is located in the Office Buffer (OBD) and Rural Residential (R1) zoning districts, and the I-99 Interchange Overlay district.

The applicant proposes to change the use of the existing structure on the property from a single-family residence to office space. Upgrades to the site includes widening the driveway, providing ADA parking, installation of a shared-use path along Gray's Woods Boulevard, installing landscaped buffers and making stormwater management improvements. All required utilities are currently available to the structure and the project does not include any addition to the current building footprint.

The Planning Commission reviewed the plan at their April 5th meeting and recommended conditional approval pending the following items:

- a. Completion of all items noted on each comment letter provided by staff

For this item the Board members should:

- Review the provided materials
- Receive a brief introduction by the Planner
- Receive a brief presentation from the developer's project design team
- Solicit public input
- Following a motion and second, discuss the matter and consider action to conditionally approve the Plan.

The agenda materials include a location map, staff plan review comments, Alpha Fire Company and COG Refuse and Recycling comments, and the land development plans.

f. Zoning Amendment Request – Add Fitness Centers Use to I-1, Industrial District

A prospective tenant of 118 Hawbaker Industrial Drive, formerly WESCO Lighting, had submitted a request to the Board to consider revising the permitted uses in the Industrial Zone to include fitness centers. The agenda materials include a letter requesting the change with maps and photographs showing the full Industrial district in the Township and the location of the subject property, and comments from the Manager regarding some statements in the request letter.

6. PLANNING & ZONING (Continued)

f. Zoning Amendment Request – Add Fitness Centers Use to I-1, Industrial District (Continued)

On March 24th Board referred the matter to the Planning Commission who reviewed the request at their April 5th meeting. On March 24th the Board also directed staff to submit the request to College Township for a recommendation under the Intermunicipal Zoning Agreement for Industrial and Multi-family Uses.

The Planning Commission recommends approval of adding Fitness Centers to the list of permitted conditional uses in the I-1 district.

The College Township Council also reviewed the request at their April 1st meeting and recommend approval.

A list of currently permitted uses in the I-1 District is also included with the agenda materials.

If the Board concurs with the above recommendations, the next step in the process is to schedule a Public Hearing for the change to the I-1 District regulations. Due to various time-sensitive notice requirements from the Municipal Planning Code, the Manager recommends scheduling the Public Hearing no sooner than the May 26th meeting.

For this item the Board members should:

- Review the provided materials
- Receive a brief introduction from the Manager
- Receive a brief presentation from the requestor's representative
- Solicit public input
- By Motion and a second, consider action to schedule a Public Hearing on the request.

g. Rezoning Request - 474 and 480 Douglas Drive – Rescheduled to next meeting

To accommodate the applicant's schedule, this item will be considered by the Board at the April 28th meeting.

7. ADMINISTRATION**a. American Rescue Plan Act Update**

Detail guidance on the full range of permitted uses of these grant funds is not expected to be published by the U.S. Treasury Department until mid-May. However, the National League of Cities (NLC) has offered the opinion that the final guidance will include a very large range of permitted uses. These include all items that were eligible under the 2020 CARES act to potentially being used to fund tax cuts for future years.

The agenda materials include slides from a NLC briefing provided at the PML District meeting on April 6th and a memo from the Director of Finance and Administration noting our running totals for COVID related supplies, COVID related wage/salary expenses, and 2020 revenue shortfalls related to the pandemic.

At this time the Board members should start considering what type of process should we employ to determine how best to use the expected funding.

Decision points will include:

- Scope/range for gathering input – Board, public, staff
- Prioritizing expenditure types – operating expenses, capital/infrastructure, debt reduction, tax relief, aid to businesses, aid to individuals
- Are there opportunities to partner with other public entities or NGOs?
- Do we want to only fund existing initiatives, or should we also be willing to create new programs?

For this item the Board members should:

- Review the materials provided with the agenda
- Receive a brief introduction by the Manager
- Solicit public input
- Begin a discussion on the bulleted items above

b. COVID 19 – Local Regulations Update

The Pennsylvania Department of Health (DOH) published updated orders on April 1st, relaxing many of the pandemic restrictions that were put in place in 2020. The DOH orders can be found at: (scroll down to “Orders and Advisories” <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Fact-Sheets.aspx>

Patton Township initially approved local pandemic regulations in August 2020, and last updated them in late January 2021. (see enclosed Item 7b.1) The latest changes from DOH have significantly revised the limits on many elements of Sections 3 through 5 in our local ordinance.

7. ADMINISTRATION

a. COVID 19 – Local Regulations Update

The Manager suggests following the approach recently adopted by College Township (see enclosed Item 7b.2) to amend our local regulations by deferring to the DOH limits in many cases. In areas where the DOH regulations are silent, such as gatherings at homes and in public parks, College Township has increased the outdoor gathering size limit to 100 people.

For this item the Board members should:

- Review the materials provided with the agenda
- Receive a brief introduction by the Manager
- Solicit public input
- If desired, provide direction to the Manager to draft an amended ordinance for potential adoption on April 28th.

b. Temporary Signs – Proposed Schedule to Resume Enforcement of Regulations

In June 2020 the Board directed the Manager to exercise his discretion in permitting temporary signs to be posted – see enclosed Item 7c.

The Manager know believes it is time to begin moving back towards the enforcement regime that existed pre-pandemic. The following recommendation only applies to advertising signage and does not apply to political signage or other first-amendment speech.

The following schedule for notices is proposed:

April 30th -- Notice to remove off-premise temporary signs by May 28th

May 7th -- Notice to remove on-premise temporary signs by July 2nd

June 4th -- Notice to remove on-premise temporary signs by July 2nd

June 18th -- Notice to remove on-premise temporary signs by July 2nd

The Board members are requested to provide input on the proposed schedule.

8. 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 available to the public on-line and at the sign-in table. At the request of any 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 – no items**
- b. Public Works – no items**
- c. Planning & Zoning – no items**
- d. Administration**
 - 1) Minutes March 14, 2021**
 - 2) Voucher Report**

9. MANAGER'S REPORT

The Manager will report on current matters, including the following:

- a. Correspondence (enclosed)
 - a. Development Update
 - b. County Central Booking Financial Update
 - c. West Penn Power Energy Assistance Program
 - d. CentreBike Thank You
 - e. West Penn Power Tree Trimming
 - f. PSU Fall Semester will be majority in-person
- b. Project updates
 - a. Valley Vista Shared Use Path
 - b. Abington Equine Hospital
 - c. Others as warranted
- c. House Bill 255 (enclosed)
 - a. Letter from County Recycling and Refuse Authority
 - b. Comments from PA Municipal League
 - c. Comments from CRCOG
 - d. Proposed bill
- d. Q1 2021 Housing Starts Graph (enclosed)
- e. Spring Newsletter (enclosed)
- d. Upcoming Events
 - [1] Township Office Schedule
 - May 31 – Memorial Day, Office Closed
 - [2] April 30-May 1 Household Hazardous Waste collection
 - [3] May 18 – Municipal Primary Election

10. COMMITTEE REPORTS

Board members should report on the meeting(s) of the COG and other committee(s) on which they serve, including:

- a. Council of Governments Committees (Committee agendas can be downloaded by clicking the highlighted link)

[SPPA Working Group](#), March 24

Timeline for RFP for Energy Consulting Services – Update from January 27th meeting to verify we are still on course
Large Scale Renewable Aggregation Cohort Discussion led by Pam Adams

[Public Services & Environmental and Transportation & Land Use](#), April 1
(Follow-up memo from COG enclosed - #10a.2)

Introduction to Water, Sewer, Transportation, And Land Use Issues

[Facilities](#), April 6 (Report enclosed - #10a.4)

Project Updates
General Forum Room Audio/Video Enhancements
First Phase Report Out (Facility Condition Assessment Process)

[Human Resources](#), April 7 (Report enclosed - #10a.5)

Job Description - Administrative Services Manager
COG-wide Wage Study

[Finance](#), April 8 (Report enclosed - #10a.6)

Update Regarding Concord Public Financial Advisors
Revision to the COG Detailed Budget Document
COG Formula Calculations
Budget Amendment A/V System – NEW AGENDA ITEM

[Climate Action & Sustainability](#), April 12

Committee Representation
Community Forum on Climate Planning
Update by the Solar Power Purchase Agreement Working Group
Technical Advisory Group for CAAP Implementation
Draft Mission Statement

[Public Safety](#), April 13 (Report enclosed with Supplement - #10a.8)

Fire Department Organization
Fire Department Strategic Planning
Staff Updates

Future

Exec, April 20
Parks Capital, May 13

10. COMMITTEE REPORTS (Continued)

- b. Patton Township Housing Task Force, April ____
- c. State College Borough Water Authority (3rd Thursday)– Montieth (report enclosed)
- d. Centre Area Cable Consortium, as needed – Trevino (did not meet)
- e. Spring Creek Watershed Commission, _____ - Mason
- f. Centre County Metropolitan Planning Org., April 27 – Robb, Abrams Alt.
- g. Centre County Airport Authority, (4th Thursday) (report enclosed)

11. OTHER BUSINESS

12. ADJOURN

13. (reserved)

14. FOR YOUR INFORMATION

Materials Included with agenda:

- 1. Household Hazardous Waste Collection Flyer – [Pre-registration Required](#)
- 2. Broadband Survey – hard copy enclosed – web link in box below.

How is Your Internet Service?
We Need Your Input.

Patton Township is surveying residents to evaluate the performance of internet services. All information collected by the survey will be used only for this purpose.

The survey can be found at:
<https://www.surveymonkey.com/r/PTBroadband>

Upcoming Meetings:

Mon., April 26 General Forum

Wed., April 28 Board of Supervisors
 Presentations
 Library Board
 Financial Statements for 2020 (Audit report)
 Public Hearings/Ordinances
 Rezoning for 101 Hawbaker Industrial Drive to C-1
 Amendments to require electronic submissions
 Exception to COLDS septic requirements
 Policy Discussion on Standards for Use of Deadly Force

14. FOR YOUR INFORMATION (Continued)

Upcoming Meetings (Continued):

Wed., May 12 Board of Supervisors

Mon., May 24 General Forum

Wed., May 26 Board of Supervisors

Items to be Scheduled - as prioritized on Jan 4, 2021

- Open Space preservation options (October 2018)
- Regulating Special Events on Public Property (Sept 2017)
- Sustainability Resolution (August 2018)
- Authorities dissolution (December 2018)
- Home Occupations – potential change by Ordinance (Dec 2017)
- Stargazing Permits (Feb 2020)