



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

100 PATTON PLAZA – STATE COLLEGE, PENNSYLVANIA – 16803

PHONE: 814/234-0271 — FAX: 814/238-7790

EMAIL: patton@twp.patton.pa.us — WEB SITE: <http://twp.patton.pa.us>

BOARD OF SUPERVISORS

BOARD MEETING ROOM
PATTON TOWNSHIP MUNICIPAL BUILDING

September 8, 2021 5:00 PM

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

Updates include: Item 3c – update to narrative; Item 5a – public comments attached; Item 5b – proposed motions from Supervisor Thies and additional option for Green Hollow Park with tennis and pickleball; Item 5c – update to narrative and new attachments; Item 7e – **NEW ITEM** - PSATS By-law changes and Resolutions; Item 10 – additional attachments

PLEASE NOTE: This meeting will be a hybrid, combining in-person and video-conferencing.

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/86793070912>
Meeting ID: 867 9307 0912 **or Dial-up: 929-205-6099**

- If you are not a Board member or a Patton Township staff member we request that you turn off your Zoom video. If you are an applicant or presenter please wait to be recognized by the Chair or Manager to turn on your Zoom 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 agenda 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>

1. **CALL TO ORDER** The Chair will call the meeting to order.

- a. **Pledge of Allegiance** – as you are able, please rise and join the Board in the Pledge

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

b. **New State Law Requires Posting of Meeting Agendas and new Process for Adding Items to Agendas**

Act 65 of 2021 went into effect on August 29, 2021 and requires public agencies in Pennsylvania to post meeting agendas, on-line and at their office, at least 24 hours prior to a meeting. The Act also specifies that items may only be added to an agenda that has been posted with the approval of a majority of members of the voting entity.

The Township Manager will review these new requirements with the Board. Please see the Manager’s memo, “New Agenda Procedures to Comply with the amended Pennsylvania Sunshine Act” that is included with the agenda materials as Item 1b.

c. **Additions to the Posted Agenda**

1) **Proposed Policy for Adding Items to the Agenda**

The Manager recommends the Board adopt the following guidance for adding items to a posted agenda:

The tentative agenda for the Patton Township Board of Supervisors is typically published on the Friday prior to the Wednesday meeting. An Updated Agenda is typically published on the Tuesday prior to a Wednesday meeting. The Updated Agenda shall be considered the “posted” agenda in accordance with Act 65 of 2021.

1. CALL TO ORDER (Continued)

c. Additions to the Posted Agenda (Continued)

1) Proposed Policy for Adding Items to the Agenda (Continued)

At this time, the Chair may announce and/or ask the other Board members for the addition of agenda items that constitute Emergency Business or are considered de minimas in nature and do not involve the expenditure of funds or entering into a contract or agreement. The Chair shall determine if the items do constitute Emergency Business or are considered de minimas in nature and will determine the placement of each such added item within the meeting agenda.

Any Board member wishing to add an item to the agenda that is not Emergency Business and not considered de minimas in nature shall ask for recognition by the Chair and shall make a motion to add an item, including stating the nature of the item and reason for changing the agenda. If the motion is seconded, the Chair shall oversee discussion and a vote on the motion to add the item. If the motion is approved by a majority vote of the individuals present and voting, the item shall be added to the agenda. The Chair shall determine the placement of the added item within the meeting agenda.

If adopted, the above language will be included in future agendas.

2) Additions to the Posted Agenda

If the above guidance is adopted, the Board should consider the addition of any new items to the agenda as detailed above.

2. PUBLIC COMMENTS

Residents may address the Board on issues of interest that are not on this agenda. Comments related to specific agenda items should be deferred until that point in the meeting. Public comments will be limited to five minutes per person.

Resident Valerie Burnett has requested an opportunity to address the Board regarding the Bellefonte Central Rail Trail. See attached agenda Item 2.1

If you are attending on Zoom please use the “raise hand” feature of the Zoom application and wait for the Chair to indicate that it is your opportunity to speak.

If you are attending in-person please approach the podium and wait for the Chair to indicate that it is your opportunity to speak.

3. PRESENTATIONS / PUBLIC HEARINGS

a. Economic Development Proposal: Incentive Pool to Attract Direct Air Service to Charlotte, North Carolina

The Centre County Commissioners are reaching out to municipalities and other interested parties to help build an incentive pool to attract American Airlines to add air service to Charlotte International Airport with 12 flights per week. The Commissioners have pledged \$250,000 in American Rescue Plan Act (ARPA) funds to this effort. Please see Item 3a.1 in the attached agenda materials for additional detail on this matter.

Representatives from the County Commissioners and the Centre County Airport Authority will be in attendance. The Commissioners are asking the Township to consider a contribution of \$10,000 to \$15,000 towards the incentive pool. Potentially, the Board could use previously encumbered funds being held for economic development or the Township's ARPA funds for this incentive.

The Manager notes that many economic development discussions over the past 10 years have identified the limitations of our local air service as a problematic issue when trying to attract new employers to the region.

For this item the Board should:

- Review the materials provide with the agenda
- Receive a brief presentation from the County Commissioners and the Centre County Airport Authority
- Solicit other information, as needed, from requestors or staff
- Solicit public input
- Provide a response to the request

b. Bicycle Friendly Business Designation

The League of American Bicyclists has awarded Patton Township the Bronze designation as a Bicycle Friendly Business (BFB) working with the League and local advocates to build safer streets and better bicycling for everyone. A listing of awardees for the current round is included with the agenda materials (Item 3b.1).

The application for the award was developed by the Recreation Advisory Committee with assistance from Susan Wheeler, PW Project Manager, and Trish Meek, Senior Planner for the Centre Region Planning Agency.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)

b. **Bicycle Friendly Business Designation (Continued)**

For Your Information

About the Bicycle Friendly BusinessSM program

Bicycle Friendly Business awards reflect local leaders' ongoing work to build better places to bike and evaluate those efforts as part of a national movement. Each of the five levels of the Bicycle Friendly Business award – diamond, platinum, gold, silver, and bronze, plus an honorable mention category – provide a clear path for businesses to continuously improve. Visit bikeleague.org/business to learn more about the BFB program.

About the League of American Bicyclists

The League of American Bicyclists leads the national movement to create a Bicycle Friendly America for everyone. With a history dating to 1880, the League is committed to engaging diverse communities and building a powerful, unified voice for change around protecting and promoting the rights of people who bike.

This item is for information only.

c. **Process for Implementing Recommendations from the Policing and Communities of Color Task Force Report**

At the [August meeting](#) the Board received an overview of the subject report and recommendations from the Task Force Chair. As noted, the Task Force was convened in 2020 by the State College Borough (SCB) and the Pennsylvania State University (PSU). The Patton Township Police Chief was the only Task Force member with specific ties to the Township.

For Your Information

A copy of the Task force report, without appendixes, was included with the [August](#) agenda. The full report is available at https://www.dept.psu.edu/ur/newsdocuments/2021-Task-Force-on-Policing-and-Communities-of-Color_Draft-Report.pdf

As the Task Force's report was developed without any direct participation or prior review from Patton Township's governance, the Manager recommends the Board undertake a local process of additional review and deliberation prior to making decisions on adoption of the report's recommendations or findings. The Board members could take on the review function themselves or refer such to a standing Township ABC body or form a new ad-hoc group.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)**c. Process for Implementing Recommendations from the Policing and Communities of Color Task Force Report (Continued)**

Alternatively, the PSU administration has offered to place 1 to 2 Township representatives on an advisory committee they have formed plan to create. See Item 3c.1 of the attached agenda materials.

The Manager requests the Board consider the alternative approaches and provide enough direction to permit the Manager to respond to the PSU offer.

4. PUBLIC SAFETY**a. Police Update**

A copy of the August 2021 Public Safety Report is enclosed. Chief Jolley will review the report and respond to questions.

5. PUBLIC WORKS**a. Update on Pickleball at Bernel Road Park**

The Township's parks design consultant has provided three options to install dedicated pickleball courts in Bernel Road Park. See Item 5a.1 of the attached agenda materials.

The Manager apologizes to the Board that the conversion of 1 tennis court to 4 pickleball courts turned out to be infeasible.

The remaining feasible options include:

Exhibit A	Add three pickleball courts to Bernel Road Park.	\$121,144
Exhibit B	Convert one existing tennis court to two pickleball courts at Bernel Road Park.	\$ 34,854
Exhibit C	Convert two existing tennis courts to six pickleball courts at Bernel Road Park.	\$ 66,303

5. PUBLIC WORKS (Continued)

a. Update on Pickleball at Bernel Road Park (Continued)

As stated in the memo, none of the options can be expected to be completed this fall. The consultant recommends that the Township look to a January bid and a spring start to construction.

To fund the chosen option, at this time the Manager recommends the Board obligate part of the existing cash reserve from the Parkland Acquisition and Improvement Reserve Fund – see Item 5a.2 of the attached agenda materials. This may require that the Phase 2 Bernel Road Park project be delayed until 2023. Further discussion towards potentially using American Rescue Plan funds or other sources can be taken up later this year.

Public comments received after September 3rd are included with the Updated agenda - see item 5a.3.

For this item the Board should:

- Review the materials provide with the agenda
- Receive a brief presentation from the Public Works Project Manager
- Solicit other information, as needed, from staff or the consultant
- Solicit public input
- Provide direction to staff for proceeding with the project

b. Update on Pickleball at Green Hollow Park

The same consultant's report (Item 5a.1) also includes an estimate of \$35,786 for converting the 4 pickleball courts at Green Hollow Park to 2 tennis courts – See Exhibit D of the attachment. As above, the consultant recommends that the Township look to a January bid. Again, the Manager recommends the Board obligate part of the existing cash reserve from the Parkland Acquisition and Improvement Reserve Fund – see Item 5a.2 of the attached agenda materials.

The agenda materials (Item 5b.1) also include a summary of the results of the “Hours of Play” survey. The Public Works Project Manager will review the results with the Board.

Supervisor Thies has submitted two motions for the Board's consideration on this matter. See attachment 5b.2.

Supervisor Trevino has requested the consultant provide an option for 1 tennis court and two pickleball courts in Green Hollow Park. See attachment 5b.3 for an illustration and cost estimate.

5. PUBLIC WORKS (Continued)

b. Update on Pickleball at Green Hollow Park (Continued)

For this item the Board should:

- Review the materials provide with the agenda
- Receive a brief presentation from the Public Works Project Manager
- Solicit other information, as needed, from staff or the consultant
- Solicit public input
- Provide direction to staff for proceeding with the project

c. Proposed Regulation for Small Cell Facilities in the Public Rights-of-way

The Manager will provide an overview of Act 50 of 2021 provides for the regulation of small wireless facilities in municipal rights-of-way and will preview a working draft of regulations that are needed to be in place by October 29th to address permitting of new small cell facilities that are enabled by Pennsylvania Act 50 of 2021. Please see attached Items 5c.1 and 5c.2.

5G Regulations

Act 50 of 2021 (formerly HB 1621) provides for the regulation of small wireless facilities in municipal rights-of-way. It also authorizes municipalities to charge an annual fee for the use of the right-of-way, not exceeding \$270 per small wireless facility or \$270 per new utility pole with a small wireless facility, and sets the maximum permitted height of the pole and small cell facility at 50-feet. Small cells are required to comply with restrictions in place in underground utility districts and municipalities are able to develop reasonable design guidelines to minimize aesthetic impact. Municipalities have 60 days to review applications for collocation on preexisting structures and 90 days for the installation of a new structure with attached small wireless facilities.

Signed: June 30, 2021. **Effective:** August 29, 2021.

This item is for information only and will also be on the October 13 agenda.

5. PUBLIC WORKS (Continued)**d. Request for Additional Funding for Bernel Road / Fox Hill Road Intersection Improvements**

The developer of the adjacent property, Decibel Partners, L.P. (Decibel), have submitted a request asking the Board to consider granting additional funding toward this project (See Item 5d.1). Specifically, they request assistance toward funding the added costs resulting from contract change orders related to unstable soils encountered under the existing pavement.

Prior to beginning this public/private project the Township and Decibel did enter into an agreement holding Decibel responsible for all additional costs and debt service payments as noted below. This agreement could be amended under agreement by both parties.

The initial funding for the contract costs was provided through a loan from the Pennsylvania Infrastructure Bank (PIB).

The Township received a state grant for \$700,000 and pledged \$150,000 in township funding toward the project.

The developers have also incurred more than \$447,000 in project costs outside of the construction contract.

The contract bid amount was \$1,513,164. Change orders to the contract for addressing the unstable soils totaled over \$230,000.

A breakout of all project costs and the source of funds is shown below:

	MTF Program	Patton Township	Decibel Partners, LP	Total
New Construction				
Overhead Utility Relocations		\$ 124,507	\$ 114,874	\$ 239,381
Remaining Intersection Realignment Construction	\$ 700,000		\$ 1,043,710	\$ 1,743,710
Owner's Rep /Inspection Services/PennDOT Inspection Services		\$ 20,000	\$ 47,307	\$ 67,307
Engineering Services for Design and Construction Administration			\$ 285,000	\$ 285,000
Total	\$ 700,000	\$ 144,507	\$ 1,490,891	\$ 2,335,398

5. PUBLIC WORKS (Continued)**d. Request for Additional Funding for Bernel Road / Fox Hill Road Intersection Improvements (Continued)**

The Manager notes that, if desired, the additional funding could be provided in a lump sum or over a number of years through the debt service payments on the PIB loan.

For this item the Board should:

- Review the materials provide with the agenda
- Receive comments from the developer and the Manager
- Solicit other information, as needed, from staff or the developer
- Solicit public input
- Provide direction to the Manager for proceeding with this matter.

6. PLANNING AND ZONING – no items

Due to Labor Day Holiday, the Planning Commission will meet on September 13th. Recommendations will be provided to the Board at the September 22nd meeting.

7. ADMINISTRATION**a. Housing Task Force Update**

Supervisor Anita Thies will provide information on videos the Task Force has developed, in association with C-NET, to promote Patton Township and the work of the Task Force.

b. Energy Services Consultant Authorization

Patton Township is a participant in a consortium exploring opportunities to invest in a utility-scale solar power facility and secure a long-term source of electricity from a renewable provider. The consortium has solicited and reviewed proposals from consultants experienced in this field. The next step in the process is to vote to accept the proposal recommended by the Working Group. The State College Area School District (SCASD) has agreed to be the contracting agency for this phase of the project.

7. ADMINISTRATION (Continued)**b. Energy Services Consultant Authorization (Continued)**

The Township's representative, Supervisor Betsy Whitman, will review the recommendation to engage GreenSky Development Group for the project. See the materials (Item 7b.1) included with the agenda attachments for more information.

Patton Township is responsible for 1.22% of the project costs, or less than \$1,000.

The Board should consider action to authorize Supervisor Whitman to vote to accept the working group's recommendation.

c. Partnering with Sun United Neighbors Solar Co-op

Supervisor Betsy Whitman asks the Board to consider a proposal to become a Community Partner with Sun United Neighbors (SUN) of Pennsylvania. Please see agenda items 7c.1 and 7c.2 for further information on solar co-ops, SUN and the partnering process.

Supervisor Whitman will review the attached information and respond to questions.

d. Real Estate Tax Appeal Settlement for Carnegie Inn

The Centre County Assessor has provided a recommendation (attached Item 7d.1) to the Solicitor to enter into a settlement agreement on a real estate tax appeal filed by the Carnegie Inn Limited Partnership (100 Cricklewood Drive). The settlement is proposed to avoid "the hazards and risks of litigation."

The agreement would reduce the assessed value of the property by 11.25% and reduce the Township's real estate levy by approximately \$517 per year.

For this item the Board should:

- Review the materials provide with the agenda
- Receive additional comments from the Solicitor
- Solicit other information, as needed, from staff or the Solicitor
- Solicit public input
- Provide direction to the Solicitor for proceeding

7. ADMINISTRATION (Continued)

- e. **NEW ITEM** -- PA State Assoc. of Township Supervisors (PSATS): Proposed Changes to By Laws and Proposed Resolutions for 2021 Business Meeting

The Supervisors are asked to review the attached materials (Item 7e) prior to the September 22nd meeting to prepare to provide direction to the Voting Delegate, Supervisor Abrams, in preparation for the October 15th PSATS Business Meeting.

This item will be included on the next agenda for discussion and action.

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 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 – no items**
- b. **Public Works**
 - 1) **Appointment as Acting Township Engineer – Alexandra Castrechini**
- c. **Planning & Zoning – no items**
- d. **Administration**
 - 1) **Minutes: August 18, 2021**
 - 2) **Voucher Report**

9. MANAGER'S REPORT

The Manager will report on current matters, including:

- a. **Correspondence (enclosed)**
 - [1] Notice of Renewal Application to Susquehanna River Basin Commission for groundwater withdrawal from the State College Borough Water Authority for wells near Fillmore Road.
 - [2] PennDOT - District 2 News; [State College Area Connector Website](#) to be Updated in Anticipation of Late September Public Meetings - Sept 22 & 23

9. MANAGER'S REPORT (Continued)

b. Announcements

[1] Mosquito Spraying available through Centre County Mosquito Disease Control program

[2] **The 2021 Municipal Leadership Summit will be held on October 7 – 9 at the Lancaster Marriott at Penn Square.** [Click here for agenda](#)

[3] Additional Oak Wilt cases found on Galen Drive and Circleville Rd

c. Fall Township Newsletter (enclosed)

d. Census Results (enclosed)

e. Upcoming Events

[1] September 7th – Fall Brush/Leaf collection begins

[2] October 9th - [Children's Fair](#), Target Parking Lot

[5] October **18-22** - Bulk Waste Collection

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)

[Exec Comm](#), Aug 19 (report enclosed – Item 10a.1)

[Finance](#), Aug 19 (report enclosed – Item 10a.2)

[Human Resources](#), Sept 1 (report enclosed – Item 10a.3)

- COVID-19 Update (following the August 23 General Forum discussion)
- PT Adult Services Librarian Job Description

[Public Services & Environmental and Transportation & Land Use](#), Sept 2 1 (report enclosed – Item 10a.4)

- Revisions To The Centre Region Bike Plan Maps And Tables
- Utility-Scale Solar Study And Regulatory Toolkit
- Draftproposal To Expand Housing Choice And Opportunity In Centre County

[Facilities](#), Sept 7 1 (report enclosed – Item 10a.5)

- Project Updates (Informational)
- Parks Maintenance Centralized Storage Building Lease
- Proposed Final FCA Document
- Fire Department Space Need (New)
- Project Management Overview
- Governance Structure Of Parks And Rec Discussion
- Facilities Committee Structure Follow Up Discussion

10. COMMITTEE REPORTS (Continued)

Finance, Sept 9

- Update on the Defined Benefit Pension Plan (*Discussion*)
- 2020 Audit (*Informational*)
- Fire Department Space Needs Assessment (*Informational*)
- Parks Maintenance Facility Lease (*Discussion*)
- COG Building Lease (*Action*)
- 2022 COG Program Plan and CIP (*Action*)
- Budget Review Schedule (*Informational*)

Parks Capital and CPPRA, Sept 9

- MG2V Project And Musser Gap Greenway Access
- November 11 Joint Meeting Date
- COG Executive Committee's Governance Discussion
- Centre Region Parks, Recreation, And Open Space Comprehensive Plan

Climate Action & Sustainability, Sept 14

Public Safety, Sept 14

Exec, Sept 21

Future Meetings:

Transportation and Land Use Oct 4, Nov 1, Dec 6

Facilities, Oct 5, Nov 2, Dec 7

Human Resources, Oct 6, Nov 3, Dec 1

Public Services & Environmental, Oct 7, Nov 4, Dec 2

Climate Action & Sustainability, Oct 11, Nov 8, Dec 13

Public Safety, Oct 12, Nov 9, Dec 14

Finance, Sept 23, Sept 30, Oct 7, Oct 14, Nov 11, Dec 9

Exec, Oct 19, Nov 18, Dec 15

- b. Patton Township Housing Task Force, August (See Agenda Item 7a)
- c. State College Borough Water Authority (3rd Thursday)
- d. Centre Area Cable Consortium, as needed – Trevino (did not meet)
- e. Spring Creek Watershed Commission – Mason (did not meet)
- f. Centre County Metropolitan Planning Org. Sept 28, – Robb, Abrams Alt.
- g. Centre County Airport Authority, (4th Thursday) (report enclosed)

11. OTHER BUSINESS

12. ADJOURN

13. (reserved)

To receive Board agendas via email, please email a request to patton@twp.patton.pa.us

14.FOR YOUR INFORMATION

Enclosed:

Upcoming Meetings:

Wed., Sept. 22 Board of Supervisors

Mon. Sept 27 General Forum (Sept 27, Oct 25, Nov 22, Dec 21)

Wed., Oct 13 Board of Supervisors

Items to be Scheduled - as prioritized on Jan 4, 2021, revised February 10 and April 28

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