ATTENDED BY –
COUNCIL: Dustin Best, Chair
L. Eric Bernier
Susan Trainor
Anthony Fragola

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

ABSENT: D. Richard Francke, Vice Chair

CALL TO ORDER: Mr. Dustin Best, Council Chair, called to order the August 17, 2023, Regular Meeting of the College Township (CT) Council at 7:00 PM, and lead in the Pledge of Allegiance.

ANNOUNCEMENT: Chair Best announced that NB-1, a new business item related to Workforce Housing, would be postponed to a future meeting for discussion.

PUBLIC OPEN DISCUSSION: Nothing brought forward.

NEW AGENDA ITEMS: Nothing to add to the agenda.

SPECIAL REPORTS: State College Area Connector Project Update

Ms. Lori Cole, AICP, Johnson, Mirmiran & Thompson, Inc., on behalf of the Pennsylvania Department of Transportation, offered an update on the State College Area Connector Study Planning and Environmental Linkage (PEL) Report. In attendance with Ms. Cole was Mr. Eric Murnyack, Penn DOT Project Manager, and Mr. Kevin James, Michael Baker International. Ms. Cole offered the Draft PEL and Supportive Technical Documents were released to the public on February 16, 2023, with a Comment Period ending on March 19, 2023. At the end of the comment period, they received 46 comment letters/emails.

Ms. Cole reviewed the three (3) build alternatives advancing to the National Environmental Policy Act (NEPA) Study area. Those alternative routes are labeled US 322-10EX, US 322-1S, and US 322-5. Ms. Cole review the NEPA process and the next steps. At the end of this process, a preferred alternative route will be determined. This preferred route will be circulated and a public hearing held. From this, a Final Environmental Impact Study (FEIS), combined with a Record of Decision (ROD), which is the Federal
Highway Administration’s reasons for the project decision, will become public and available for public review and comment. Ms. Cole shared the timetable for this process. They anticipate a preferred alternative will be selected in late 2024, early 2025. The entire environmental phase of the project to be completed by mid-2026.

Council offered appreciation to Penn DOT for the public involvement in the process and thanked Ms. Cole for her presentation.

REPORTS:

a. Manager’s Update

Mr. Don Franson, Township Engineer, offered the Traffic Calming project on Shamrock and Oak Ridge Avenue was completed today. Everything is ready to go for the first day of school.

b. COG Regional, County, Liaisons Reports

COG Public Safety Committee: Ms. Trainor reported the Public Safety Committee met on August 8, 2023, and discussed a formal job description for Volunteer Firefighters and heard an update on the procurement problems with the CRCA fleet. She reported that Shawn Kaufman was appointed to Fire Director.

College Township Industrial Development Authority (CTIDA): Ms. Trainor reported the CTIDA met on August 16, 2023, and approved the annual audit report, authorized the CTIDA solicitor to begin crafting an Agreement for Management Services to hire an CTIDA Executive Director, extended a new loan and authorized the solicitor to file necessary documents to recoup outstanding line of credit balance that is in default.

COG Climate Action and Sustainability (CAS) Committee: Mr. Fragola offered the CAS Committee met on Tuesday, August 15, 2023, and heard an update on Centre Sustains by Ms. Pam Adams, and reviewed the Refuse and Recycling contracts. He asked the Centre Sustains website be linked to the College Township website.

c. Staff/Planning Commission/Other Committees

Planning Commission (PC): Mr. Hoffman, PC Liaison to Council, offered that the PC met on August 15, 2023, and approved the Medlar Field Land Development Plan and the Summit Park Subdivision Plan. They also discussed the proposed rezoning on Shiloh Road. He reserved his comments for the discussion later in the meeting.

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

Nothing to report.

CONSENT AGENDA:

CA-1 Minutes, Approval of
   a. August 3, 2023, Regular Meeting

CA-2 Correspondence, Receipt/Approval of
a. Letter from Lynn and Cynthia Corman, received August 4, 2023, regarding proposed changes to Centre Region Rental Code

b. Email from Daniel Materna, received August 7, 2023, regarding Casino

c. Email from Daniel Materna, received August 10, 2023, regarding Casino

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

a. Resolution R-23-22 – September 2023 as Suicide Awareness and Prevention Month and September 10, 2023, as Suicide Prevention and Awareness Day

b. Project 23-11 Pedestrian Bridge – No bids received

c. Remove Mr. Alston Shields as an appointed member of the CTIDA effective 8/17/2023

Mr. Brumbaugh read into the record Resolution R-23-22, September as Suicide Awareness and Prevention Month and September 10, 2023 as Suicide Prevention and Awareness Day.

Ms. Trainor made a motion to accept the August 17, 2023, Consent Agenda.

Mr. Bernier seconded the motion

Motion carried unanimously.

**OLD BUSINESS:**

**OB-1 Centre Soccer/Celtic Soccer**

Mr. Brumbaugh, Township Manager, offered that at the May 18, 2023, CT Council meeting, Council received correspondence from Mr. Dave Fonash, representing Celtic Soccer, requesting clarification on the availability of Fogelman Fields. Specifically, the issue of “priority use” of the fields by the Centre Soccer Association (CSA). In his opinion, Mr. Fonash offered that the current priority use of the fields by CSA effectively excludes the ability of Celtic Soccer, and, by extension, others, to use the fields.

Mr. Brumbaugh clarified that CSA was a contributor in building the field, along with College Township, State College Area School District (SCASD), and the PA State Department of Conservation and National Resources (DCNR). A letter dated June 7, 2003, to then CSA President, Martin Bradley, from the Township Manager, acknowledged CSA’s $150,000 contribution toward the development of the park and granted authority of CSA to erect signage, recognizing donors to the project. Additionally, the letter states that in recognition of CSA’s financial contribution to the project that CSA be granted priority consideration in the scheduling and use of the Houserville Park fields. Centre Region Parks and Recreation (CRPR) shall administer this scheduling and use in accordance with all relative agreements involving the SCASD.

Mr. Brumbaugh had a conversation with both CSA and Celtic representatives, along with Jeff Hall, CRPR, to see if there were any areas of compromise. It was apparent after this meeting there was little compromise so the discussion is before Council for consideration. Mr. Brumbaugh offered in 2003, when the field was developed, CSA was the only active soccer association so they had full and free use of scheduling and utilization of the fields.

Mr. Brumbaugh offered two recommendations for Council’s consideration to begin the discussion:

- CRPR should limit the scheduling of CSA activities to four (4) days per week in season allowing for the scheduling of other groups two (2) days per week.
- In order to address the equipment issue, CRPR should purchase all existing equipment stored onsite by CSA.
Mr. Brumbaugh offered some recommendations to use as starting points in the conversation. He opined there is no apparent solution to this issue. Additionally, the Township Solicitor has opined that the letter from 2003 does not represent an actual “contract” between CSA and CT and is not enforceable as such.

Mr. Jeff Hall, CPRP, offered Fogelman Field is the only full-sized soccer field in the region until the Whitehall Road Regional Park is completed. There will be two full-sized at this park.

Chair Best offered CSA and Celtic Soccer each fifteen minutes to state their case.

Mr. Matt Viddick, CSA, addressed the priority use of Fogelman Field. He organized every document that represented communication with CT and CSA regarding Fogelman Field. This field development project was a collaborative venture, a public-private partnership, with CT, SCASD and CSA. CT leases the field from the SCASD. CSA has over 1000 players in their program. They have youth and adults ages 5 to 75 participating in their program.

Mr. Viddick offered the priority consideration establishes CSA’s standing and use of the fields during primetime over other sports/athletes in the area. Mr. Viddick offered that taking the hours the park is open; dawn to dusk, year-round, CSA is only taking 11% of the available hours. Their program runs April to October for 20 hours a week. However, CSA has put in 30% of the money for improvements to the park. CSA needs field use after school and work hours.

Mr. Viddick continued CRPR is the mechanism to manage the priority scheduling. CSA has no intention of giving up their priority use. A few years ago, CSA contributed to the upgrade of the sprinkler system with no contracts involved so they continue to add value to the park. He would suggest a formal contract be drafted to outline the relationship moving forward.

Mr. Jeff Garrigan, CSA Board Member, is tasked with the scheduling and coordinating the fields. Fogelman is their anchor field. He opined it is the best field in the area. CSA runs three seasons: spring, summer and fall. They occupy the fields six of the seven days and rest the field for one day. They have 18 goals at Fogelman Fields. They are locked after use. CRPR has combinations for those locks to move when mowing. He calculates 1000 touches on Fogelman field during the week during the season. Consistent field space is needed to run a successful program.

Mr. Brumbaugh offered that no formal contract was drafted in 2003 because of the funding from DCNR; state grant money would have prohibited any contract or agreement. CT and CSA provided initial funding for the match. According to the records provided by CSA, the grant application showed a total project cost of $495,974.51 with a local match of $175,975 from College Township and $100,000 from CSA, with $220,000 requested from DCNR.

Mr. Dan Meehan, Celtic Soccer Board Member, Coach and Parent, and Director of Facilities addressed Council. He offered that he was part of CSA for a very long time as a coach, parent and founder of their adult league. He appreciates their efforts to promote soccer in the area and the work done to Fogelman Field. He offered that as Fogelman Field is a public facility and as a non-profit organization, Celtic Soccer is seeking equitable access and use of the field. They are willing to contribute money if that is necessary for equal access.

He agreed that yes, Fogelman is open and available during the day but during the school day, kids are not available. CSA is fully booked on the fields during the evenings; and, weekends, the field is booked for tournaments and games.

Fogelman Field is the only full-sized field in the region. Celtic Soccer has five teams that play full-field soccer and they use the high school turf fields and schedule around their events. CSA also uses Circleville Park, Homestead Park and the municipal building field.
Celtic Soccer has roughly the same amount of participants in their program as CSA. They focus more on competitive soccer. Mr. Meehan opined he supports the idea of the municipality or CRPR buying the goals and equipment so that fields can be shared. They do not want to push anyone off fields; they want equitable use of the larger field.

Ms. Christy Owens, Director CRPR, has not had the opportunity to meet with both groups. In order to make their programs run successfully, CRPR needs to have good relationship with key stakeholders like CSA, who invest in their facilities. Like at WRRP, they try to provide a mix of athletic facilities so they are equitable to all sports. They try to uphold priority agreements that are in place. CRPR does not own any soccer goals for any of their facilities. WRRP will not be operational until next fall. Currently, CRPR has a priority use agreement with Happy Valley Adventure Bureau for WRRP and at some point those agreements will have to be renegotiated. Ms. Owens added there must be a reinvestment into those facilities.

Ms. Owens offered that CRPR does not typically invest in capital costs for parks such as Fogelman Field. They are looking at investing in goals for WRRP so that more groups can use the facility. They are hoping for the most amicable resolution to this issue.

Mr. Jeff Hall, CRPR, offered that at each field, there is the potential for multiple field use. CRPR does not ask CSA for their schedule, they block out the time for CSA and they schedule their own practices/games.

Council offered that priority does not equal exclusivity. Priority consideration needs to be defined. Council supports the CRPR having a business plan moving forward. CRPR are the professional in this relationship and know more about scheduling. The reason why they were charged with the task of scheduling and determining priority use.

Council Member Bernier applauded the public-private partnership created years ago. He supports the priority use schedule for CSA as administered by CRPR. He suggests the end date correspond with the end of the lease agreement (March 31, 2027) or when a major investment is needed in the facility.

Ms. Owens offered there is no criteria to determine and define priority use and when CRPR does not own the equipment at the park, this becomes a major tipping point in who gets field use.

Mr. Hall, CRPR, offered since 2002, he was given the agreement and was told to follow this for 25 years and offer priority scheduling to CSA, which is what he has done. He explained that there are several other associations, i.e. rugby and lacrosse, that if parties were sitting down for discussions, these other associations would want to be included.

Mr. Brumbaugh reiterated that because there was public funds used from DCNR as well as from the Township, a formal agreement for priority use was not drafted in 2003. Additionally at that time, CSA was the only soccer association in the region. He added that, however, this project would not have moved forward without the financial support of CSA, but this does not override the fact that public money was used; therefore, there cannot be exclusive usage of the park.

Council asked if Celtic Soccer had petitioned to CRPR about equitable use before coming to Council. Mr. Meehan offered that they have made requests for field use in the past with no success so they thought it to be a non-starter because they do not have goals at the fields. Mr. Meehan opined that it appears if a team has goals at a field; it becomes their field for use.

Mr. Hall offered the CSA submits a request to him annually for field use. (Typically 8 AM to 5 PM – Monday through Thursday, 8 AM to 6 PM – Saturday, 11 AM to 6 PM – Sunday) If groups submit a request for the field that conflicts with this time, Mr. Hall reports that it is not available. Mr. Hall offered all other times are available.
Ms. Owens added that currently, scheduling comes down to who owns the equipment. She added that CRPR is in need of more fields. Ms. Owens offered that CRPR would put their head together develop policies that will assist in their efforts to be as equitable as possible and be respectable to their partners in their scheduling efforts.

Chair Best would like Council to offer support to CRPR to determine the definition of priority consideration in an effort to get more equitable-use in the scheduling.

In conclusion, Council supports the intent of the memo for CRPR to administer priority consideration for scheduling of Fogelman Field; and added, CRPR should continue to schedule the same way through the end of this season.

Again, Council reaffirmed, it is their charge to make sure there is equal public access to public facilities. Mr. Bernier offered that if you want equal access, then do not accept private money. Once you accept private money, you have unequal access.

Council ask Staff to begin working with the SCASD to codify a new lease when the old lease has expired.

*(Chair Best called for a recess at 9:03 PM. The meeting was reopened at 9:12 PM)*

**OB-2  Shiloh Road Rezoning**

Ms. Schoch, AICP, Principal Planner, offered that the Planning Commission (PC) met on August 15, 2023, and had an intensive discussion regarding the proposed zoning changes in the Planned Research Business Park District (PRBD) in the Dale Summit. At this meeting, the PC agreed upon a recommendation to bring forward to Council.

The PC’s recommendation is to allow duplexes, townhomes, and multi-family Uses by Right with conditions in the PRBD. Council is tasked with determining if they agree with the recommendation from PC to allow R3 uses By Right or if they would like to see a more deliberate process of a Conditional Use to allow R3 uses in the PRBD.

Mr. Hoffman, PC Liaison to Council, offered their discussion at the meeting was very interactive and productive. They appreciated the organization provided by Staff. The worksheet was helpful. They agreed with Staff some of the time in regards to the “mays” and “shall”s but where they did not, an explanation was given. Their goal for the “Use by Right” is to make the document easier for the developer to understand. The PC opined that “Use by Right” with supplemental conditions gives the developer a clean diagram of what they can and cannot do in that particular zoning district. Mr. Hoffman opined there continues to be flexibility in what the PC is proposing along with some clear guidelines.

Council discussed allowed use vs. conditional use. Council opined the Conditional Use process allows the flexibility Council was seeking and allows for more public input. Additionally, Allowed Use may make it easier for the developer but limits the spirit of Form Based Code.

Council determined it necessary to look into the recommendation in more depth and opted to meet in a Special Meeting for further discussion. Staff to determine a date and time in the next two weeks to advertise and hold a Special Meeting.

**NEW BUSINESS**

**NB-1  Workforce Housing Ordinance** (Discussion postponed to a future agenda)
**NB-2 College Township Compensation Study**

Mr. Brumbaugh, Township Manager, offered that in 2022, CT reached an agreement to participate with the Centre Region of Governments (COG) in their contract for a wage and compensation study conducted by GovHR. The CT agreement with GovHR was to perform a wage range analysis of, then current, CT wage ranges assigned by position to compare like-positions from like-communities within Pennsylvania. The Township Manager and Assistant Manager worked with GovHR to identify a group of 25 similar municipalities within PA with the intent to survey their wage ranges by position and create comparisons to CT to be used to verify or modify existing CT wage ranges. The overriding objective of this work was to ensure that current wage ranges – and thus employee pay – are competitively positioned to adequately provide for both recruitment and retention of CT employees.

GovHR issued a final report to CT in February of 2023. Staff reviewed the report, including pay plan recommendations and wage ranges, and is now in a position to make certain recommendations to Council.

A new position was not included in the study, the position of an Economic Development Coordinator. This position is being created to function primarily as the Executive Director of the Industrial Development Authority but it will incorporate other tasks for CT as needed. The recommended pay range for this position is $78,500 to $94,200.

Chair Best offered that Council discussed specifics of this study in an Executive Session. No further comments or questions were brought forward and the following motions were made.

- **Mr. Bernier made a motion to approve study-based Manager recommended Wage Ranges as shown in Exhibit 1 and authorize Staff to implement appropriate adjustments beginning with the first pay period of the 4th Quarter in 2023.**
  - Ms. Trainor seconded the motion.
  - Motion carried unanimously.

- **Ms. Trainor moved to create the position of Economic Development Coordinator with the salary range of $78,500 to $94,200.**
  - Mr. Bernier seconded the motion.
  - Motion carried unanimously.

**NB-3 Fireworks Ordinance Update**

Mr. Gabrovsek, CT Zoning Officer, offered following the most recent July 4th holiday, Staff received a higher than normal number of complaints pertaining to the use of fireworks. Staff did some research of the PA State Fireworks Law (Agriculture Code, Title 3 Chapter 11), that was last amended on July 11, 2022. This legislation sets forth rules for sale/display/use of both consumer fireworks and display fireworks. Any person over the age of 18 may purchase consumer fireworks. Display fireworks may only be purchased and used by specially licensed parties.

Title 3 also limits a municipality in how they may regulate fireworks. The current College Township Ordinance (Chapter 109) does not comply with the State Law in regards to consumer fireworks. Staff is proposing Ordinance O-23-08 to amend Chapter 109 – Fireworks of the Township Code to comply with Title 3. The proposed changes includes the most restrictive controls authorized by the Title 3 legislation.

After a brief discussion, Council made the following motion.

- **Mr. Bernier made a motion to authorize Staff to advertise and set a public hearing at the next CT Council meeting to adopt Ordinance**
O-23-08 an ordinance to amend Chapter 109 – Fireworks in the Township Code.
Ms. Trainor seconded the motion.
Motion carried unanimously.

STAFF INFORMATIVES:

No Staff Informatives were pulled for discussion.

OTHER MATTERS:

Mr. Brumbaugh, Township Manager, reminded Council about the College Township Community Night at the Spikes to be held on Saturday, August 19, 2023. Resident of College Township can receive discounted tickets to the game. Gates open at 5:35 PM with the first pitch at 6:35 PM.

Mr. Kathryn Denka, Puddintown Road, asked Council to conduct a speed study on Puddintown Road from Houserville Road to the entrance of Spring Creek Park going in both directions. Mr. Franson, Township Engineer, offered the Township would put up speed signs to get some preliminary numbers.

ADJOURNMENT:

Chair Best called for a motion to adjourn the meeting.

Ms. Trainor moved to adjourn the August 3, 2023, Regular College Township Council Meeting.
Chair seconded the motion.

The August 3, 2023, Regular College Township Council Meeting was adjourned at 8:59 PM.

Respectfully Submitted By,

Adam T. Brumbaugh
Adam T. Brumbaugh
Township Secretary