

**Meeting Minutes**  
**State College Borough Council**  
**Work Session**  
**April 22, 2005**  
**12:00 p.m.**

The State College Borough Council met in a work session on Friday, April 22, 2005 at 12:43 p.m. in the State College Municipal Building Council Room, 243 South Allen Street, State College PA. Mr. Daubert called the meeting to order at 12:43 p.m.

Present: Bill Welch, Mayor  
Thomas E. Daubert, President  
Catherine G. Dauler  
Elizabeth A. Goreham  
Craig R. Humphrey  
Jeffrey R. Kern  
James H. Meyer

Absent: Janet K. Knauer

Also present: Thomas J. Fontaine, Borough Manager, Michael S. Groff, Finance Director; Ernest C. Dabiero; Norma J. Crater, Accounting Supervisor; John P. Marchek, Finance Assistant; Edward C. Holmes, Parking and Facility Coordinator; Cynthia S. Hanscom, Recording Secretary; members of the media; and other interested observers.

Public Hour: There were no comments from members of the public.

Thorn Alley/Patterson Street. Mr. Fontaine noted that he had received a request to open Thorn Alley onto West Campus Drive. Staff addressed the request by preparing a proposal for the Transportation Commission to review for their January 18, 2004 meeting. At that meeting, the Commission requested staff seek citizen input regarding the proposal. A letter was sent to abutting property owners, businesses, and residents requesting input on the proposal. The Commission held a public hearing on February 18, 2005. Two property owners spoke at the hearing, one in favor and the other in favor but opposed to the elimination of parking on the 100 block of North Patterson Street. The proposal was also reviewed by the Planning Commission at their meeting of March 16, 2005.

Council is asked to review the proposal. If there is a consensus of Council to proceed with the recommendation, the Manager should be directed to schedule a public hearing and provide notice as required for the opening of Thorn Alley.

Mr. Whitfield presented a map showing the location of Thorn Alley, which was used as an exit by Nittany Beverage, 139 North Patterson Street. Trucks exiting the beer distributor make two left turns, one onto an access driveway and another onto Patterson Street. Because the radius and width of both the access road and Patterson Street are small, truck drivers find it difficult to make navigate both turns. By opening the alley to West Campus Drive, delivery trucks could make a left turn and then another onto Patterson Street. The sidewalks on the west side of Patterson Street are deteriorating and need to be replaced. If on-street parking on Patterson Street is removed, delivery vehicles would be able to make the turn onto Patterson Street from West Campus Drive.

Ms. Goreham noted Richard Kalin operated his law office at the corner of College and Patterson. He attended the Transportation Commission meeting and indicated that people were parking illegally in his parking lot. The question was where the vehicles using the on-street parking would park if it were removed. Mr. Whitfield said there was ample space on the 100 block of South Patterson.

Mr. Daubert expressed concern with the lack of area for guests to park. Mr. Whitfield said most parkers are students who then walk to class. Parking is only permitted on one side of the street. From talking with Ginny Chuba, who manages many of the rental properties in this area, there are no spaces available on the street for tenants because of commuters. It is difficult for parking enforcement to do routine enforcement because it is so far out of town.

Mr. Meyer asked the width needed to accommodate safe on-street parking. Mr. Whitfield indicated it should be 28 feet in width; this allows 8 feet for parking and two 10-foot lanes.

Ms. Dauler asked who would pay for the rebuild of the sidewalk. Mr. Whitfield said the private property owners would be responsible as well as Penn State for installing the handicapped ramps.

Council members agreed to schedule the public hearing on the street opening. Mr. Daubert indicated the ordinance to restrict parking and opening of Thorn Alley should be done as separate motions.

Purchasing Ordinance. Mr. Fontaine presented Council with an ordinance that would increase the bid limit to \$25,000. The current bid limit of \$10,000 has been in place since 1990. He explained the Commonwealth of Pennsylvania is reviewing legislation to increase the limit to \$25,000. As a home-ruled municipality, the Borough has the ability to adopt its own ordinance to increase this amount. Mr. Kern noted most federal projects have raised the bid minimum to \$25,000.

Ms. Goreham asked the procedure if the sealed bid process is not used. Mr. Dabiero explained that currently, if the price is under \$10,000 but over \$1,000, he obtains telephone or written quotes to achieve the lowest possible cost.

Mr. Fontaine explained staff is comfortable with the \$25,000 limit. Staff decisions on award of contracts will be based on policies and procedures in effect and based on qualifications. There are sufficient rules and regulations in place to insure that ethical standards are used. Mr. Daubert encouraged staff to use caution as the public may not perceive the increase in bid limits to be justified. Mr. Fontaine said he felt comfortable that staff could defend the Borough's purchasing decisions.

Mr. Meyer asked if professional services were done through competitive bid. Mr. Dabiero noted that, if over \$10,000, a Request for Proposals is issued. The award of any contract would then go to Council.

Council members agreed to put this on the May 2 agenda for consideration.

Staffing Levels. Mr. Fontaine said, as part of the 2005 Budget, staff support in the second floor offices of the Departments of Public Works, Health and Planning was reduced from four secretarial positions to three. To reduce the workload for the remaining staff, some tasks were assigned to the Public Works Clerk at the Service Building and some were absorbed in the office of Administration. In spite of those efforts, however, the workload in the second floor offices has been greater than anticipated. Other, non-secretarial employees have been assisting the secretarial staff in answering phones, filing, and other tasks, but the result is less time to spend in technical work, in the field in compliance activities, and in other regularly assigned duties. This has proven to be counterproductive. In addition, completion of minutes for various boards and commissions has been less timely due to other, more pressing needs, and after a certain amount of time elapses following the meetings, drafting minutes is more difficult without listening to the tape of the meeting again. This duplication of effort is also not cost effective.

Staff recommends that the fourth secretarial position be reauthorized and filled as soon as possible. The additional cost of this position is estimated at \$44,660 per year including salary and benefits. For 2005, restoring this position will add about \$30,000 to the budgeted expenditures in Health (\$8,100), Planning (\$19,300) and Public Works (\$2,600).

Mr. Kern asked if there was money available in this year's budget. Mr. Fontaine noted that, because of turnover, the cost can be absorbed this year but it will need to be built into next year's budget.

Council members agreed to consider this on May 2.

First Quarter Financial Report. Mr. Groff presented summarized data on the fourth quarter financial report. Generally, tax revenues were up but that could be attributed to the tax increase approved as part of the 2005 budget. He noted there was some concern on the continued decline for the fourth straight quarter (down 3 percent from the same period last year) in the earned income tax revenue.

Council discussed the refunded money paid for police services. Mr. King explained that because of other demands in the Borough or because blocks of time were not needed for extra services above the hourly patrol time, a total of \$77,000 was refunded to the municipalities. Mr. Kern asked when this was reconciled; Mr. Groff replied it was done once a year.

Mr. Humphrey asked why the business privilege tax receipts were up from this time last year. Mr. Groff did not know but predicted there may be a higher level of business or that retailers were simply paying them earlier.

Mr. Fontaine noted that there were two recent court decisions in the Commonwealth Court that municipalities could not collect non-resident business privilege tax; therefore, the Borough may not be able to collect on construction activity. Mr. Daubert explained this was something that was being discussed by the ad hoc tax study committee and would be part of their report to Council.

Ms. Goreham asked how the reinstatement of administrative staff position would affect the budget in regards to a tax increase. Mr. Welch felt that there was a whole range of decisions that will need to be made with next year's budget that could compensate for the reinstatement of the position. Hopefully, staff will be able to bring a budget to the table that has no tax increase.

PLCM Voting Delegate. Mr. Fountaine understood that Mr. Daubert agreed to serve as the PLCM voting delegate at the 106<sup>th</sup> Annual Convention during the week of June 27-29. This would be voted on at Council's meeting of May 2. Mr. Daubert noted that Tuesday, April 26 there would be the Central Region PLMC Meeting. One item on that agenda will be to propose a resolution on the recycling program.

Borough University Liaison Meeting. Council members discussed possible agenda items for the May 17 Borough/University liaison meeting. Mr. Daubert indicated there were conflicts for the May 17 date; therefore, the meeting would be rescheduled. He asked if there were items Council members would like to see on the agenda. Mr. Kern noted that Code Enforcement and the Fire Department have problems with the fraternities and that decorations were extremely hazardous. The new trend is to have cyclone fencing and black trash bags over the windows. He noted that Tim Knisely, Code Enforcement official, had sent a memo indicating that one inspection had been made and combustible materials were eliminated. Mr. Fountaine noted the cyclone fencing is in response to recommendations made by Borough staff to control the underage drinking problems. Mr. Kern explained code enforcement sees this as a limitation on the egress should a fire erupt.

It was strongly urged that Vicki Triponey, V.P. of Student Affairs, attend the Borough/University meeting. Although progress is being made in solving some issues, there are other concerns and it was important to continue a dialogue.

Ms. Goreham suggested some discussion occur on economic development. There needs to be a formal connection with the University and the impacts they have the community.

Ms. Goreham also suggested the HUB lawn stage be discussed. Mr. Fountaine noted a concept plan would be presented to Council. The University did not want to invest in the stage unless they knew there was support from the Borough for the 8-10 events they hoped to hold each year. Noise testing would be conducted to determine the impact of the proposed stage, which would be constructed above the HUB lawn and would face toward the downtown.

There being no further business, the meeting adjourned at 1:54 p.m.

Respectfully submitted,

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Cynthia S. Hanscom  
Assistant Borough Secretary