

## GENERAL FORUM

April 25, 2011

Chairman Filippelli called the regular April 25, 2011 meeting of the Centre Region Council of Governments to order at 7:30 PM in the COG forum room.

Members present: Mses. Lafer, Messrs. Daubert, Filippelli, Hahn, Morris, Rosenberger, State College Borough; Ms. Shoemaker, Messrs. Klees, Koll, Remick, College Township; Messrs. Heinsohn, Keough, Killian, Miller, Pytel, Ferguson Township; Ms. Spencer, Messrs. Merritt, Stevenson, Halfmoon Township; Messrs. Graham, Rittenhouse, Warner, Wilson, Harris Township; Messrs. Abrams, Boyer, Luck, Troxell, Wise, Patton Township

Others present: Messrs. Steff, COG Executive Director; Sieminski, Penn State University; Brumbaugh, College Township Manager; Erickson, Patton Township Manager; Fountaine, State College Borough Manager; Kunkle, Ferguson Township Manager; Bair, Fire Director; Woodhead, CRPR Director; May, CRPA Director; Schneider, Code Director; Viglione, COG Finance Officer; Damgaard, Bond Counsel; Gibbons, Financial Consultant; Mose, CATA General Manager; McDowell, CCIDC; Elnitski, Benner Township Supervisor; Westrick, College Township resident; Harpster, Hurley, CRRA; Basile & George, Planning Consultants; Mses. Alloway, Library Director; Farkas, Harris Township Manager; Steele, Halfmoon Township Manager; Liggett, CRPA Planner; Vanderkolk, *Centre Daily Times*; Goreham, State College Borough Mayor; Kisslak, CRPR Office Manager; Mascolo, Matson, CRRA; Prosek, Recording Secretary

### MINUTES

Motion was made by Mr. Wilson and seconded by Mr. Troxell that the minutes of the March 28, 2011 General Forum meeting be approved as presented. Vote in favor was unanimous.

### MUNICIPAL MEETINGS FOR JOINT FUNDING – REGIONAL PARKS DEVELOPMENT

Mr. Steff reported that the Centre Region COG on the behalf of the participating Centre Region municipalities has acquired three regional parklands: Oak Hall Regional Park, Whitehall Road Regional Park, and the John Hess Softball Field Complex. Master Site Plans and construction time lines have been adopted for all three parks. In addition, funding has been approved to implement safety improvements and utility upgrades at Hess Field. He then reviewed the actions taken to date to approve the borrowing for the development of the regional parks and the procedural steps for tonight's meeting.

Mr. Chris Gibbons, Financial Consultant for the regional parks, explained the funding options available and reported that a bank loan was favored over a bond. Fulton Bank, he said was the sole bidder and offered a very attractive loan package that was reviewed by the Finance Committee at a special meeting on April 4, 2011. The proposal was for a 20 year term, five years fixed at 3.15% and variable thereafter with an interest rate cap of 6% for the remaining 15 years.

He then referred members to a report included in the agenda packet providing the financial details of the loan. He noted that the loan could be paid early without penalty and that the report included projected debt service schedules.

Mr. Jens Damgaard, Rhoads & Sinon LLP, explained that he is an attorney with tax exempt finance as his area of expertise. He said that a number of documents will be executed tonight to prove that the municipalities are guaranteeing the debt incurred by the Centre Regional Recreation Authority for the development of regional parks. He added the assortment of documents is required under the Local Government Unit Debt Act.

Mr. Damgaard noted that the municipal shares will be recalculated in 10 years based on the COG formula in place at that time, and that each municipality will be responsible only for its share.

There being no citizen comments on the action item, Mr. Filippelli recessed the General Forum meeting at 8:00 PM so that the participating municipalities and the CRRA could convene meetings of their own.

At 8:07 PM the General Forum meeting was reconvened and the recording secretaries for the municipalities of College Township, Ferguson Township, Harris Township, Patton Township, and State College Borough each reported approval of a guaranty agreement, participation agreement, and municipal ordinances to incur "Lease Rental Debt" in specified amounts.

Ms. Sue Mascolo, CRRA Chair, reported that the Authority adopted Resolution 02-2011 that approves all loan documents necessary for the transaction.

#### **COG RESOLUTION FOR JOINT FUNDING OF REGIONAL PARKS DEVELOPMENT**

Motion was made by Mr. Rosenberger and seconded by Mr. Troxell that the General Forum, as recommended by the Finance Committee and the COG financial consultant and bond counsel, adopt Resolution 2011-5 that: adopts a Participation Agreement that sets the funding terms and debt service allocation formula for the development of regional parks; authorizes the execution of a Participation Agreement; authorizes COG officers to execute all documents required for the debt to occur; and, authorizes the Finance Committee to approve the final source and terms of the debt.

An amendment was offered by Mr. Pytel and seconded by Mr. Klees to include the specific names of the regional parks referred to in the motion as Oak Hall Road Regional Park and Whitehall Road Regional Park. Vote in favor of the amendment was 24-0-3 with representatives from Halfmoon Township abstaining as they do not participate in the regional parks program.

Vote in favor of the motion as amended was 24-0-3 with representatives from Halfmoon Township abstaining as they do not participate in the regional parks program.

### **AUTHORIZATION TO ACQUIRE PROPERTY ADJACENT WHITEHALL ROAD PARKLAND**

Motion was made by Mr. Klees and seconded by Ms. Lafer that the General Forum, as recommended by the COG Parks Capital Committee, amend the agreement to acquire the Whitehall Road parkland by purchasing from The Pennsylvania State University the adjoining 25 acre property as anticipated in both the 2011 COG budget and the Master Site Plan for the Whitehall Road Regional Park; and furthermore, that the provisions of the original 75 acre agreement shall apply to the additional 25 acre purchase and are hereby ratified and affirmed.

Vote in favor of the motion was 24-0-3 with representatives from Halfmoon Township abstaining as they do not participate in the regional parks program.

### **DRAFT CENTRE REGION ECONOMIC DEVELOPMENT ASSESSMENT**

Mr. Jeff Luck, Chairman of the Transportation & Land Use Committee, introduced Messrs. Ralph Basile and Tim George from BBP LLC & Associates who were selected through a competitive selection process to conduct an Economic Development Assessment.

Planning Director Jim May reported that work on the assessment was initiated in August 2010 and staff has been working closely with the consultants and is now ready to forward a draft to the municipalities for comment.

Mr. Basile provided an overview of the recommendations contained in the draft assessment including short, mid, and long term goals.

Mr. Heinsohn read a prepared statement in opposition of the project noting that there appears to be nothing new from a report done in December 2010.

Mr. May noted that COG is promoting discussion of economic development ideas with many organizations within the region, along with the municipalities and the Chamber of Business and Industry Centre County.

Mr. Luck stated that it was important to remember that for the short term goals there is no financial obligation, just staff time.

In response to a question from Mr. Filippelli, Mr. Basile stated that each recommendation has a design plan identifying who will be directing the activity and noted that COG will be taking an active part in the process.

Motion was made by Mr. Koll and seconded by Ms. Lafer that the General Forum, as recommended by the TLU Committee, refer the Draft Economic Development Assessment to the individual municipalities for review, and that responses be returned to the COG Executive Director by May 20, 2011 for distribution to the TLU Committee.

Vote in favor was 26-1 with Mr. Heinsohn voting against the motion.

### ANALYSIS OF BUSINESS NETWORKS IN CENTRE COUNTY

Planning Director Jim May introduced Mr. Ted McDowell, Chairman of the Centre County Industrial Development Corporation (CCIDC), who made a brief presentation on a proposal for a study to be conducted by the Penn State Workforce Education and Development Initiative (WED Initiative).

Mr. McDowell noted that the WED Initiative is a unique way to look at economic development and that funding to date is coming from the Ben Franklin Institute in Penn State's Innovation Park. He noted that even if the COG members choose not to contribute financially to the study, the results will be shared with everyone. Mr. McDowell stated that although the request is \$5,000, whatever amount COG chooses to contribute would be welcome. More important, he said, is a high level of cooperation among the participants.

Mr. Heinsohn stated once again that taxpayer money should not be funding projects such as this; a direct approach should be used with an agent getting a finder's fee when trying to convince new businesses to locate here.

Mr. McDowell said it is important to understand which groups a prospective business should be talking to when investigating whether their operation should locate in Centre County; eliminating the overlap and confusion is an important aspect in securing new businesses to the area.

Motion was made by Mr. Klees and seconded by Mr. Abrams that the General Forum refer the request to fund a study to the individual municipalities for review, and that responses be returned to the COG Executive Director by 12:00 Noon, May 17, 2011 for distribution to the Executive Committee. Vote in favor was 26-1 with Mr. Heinsohn voting against the motion.

### **SPRING CREEK CANYON**

Mr. John Elnitski, Benner Township Supervisor, presented the Township's plans for upgrading public access to Spring Creek Canyon after it is transferred from the Commonwealth of Pennsylvania to Benner Township. He reported that Spring Creek Canyon is an important

regional asset and the Township is looking to partner with other groups to help share the costs of improvements to the property.

Mr. Elnitski estimated that 80% of the visitors to the Canyon are from the Centre Region. He reported that a \$600,000 grant has been secured from the Department of Conservation and Natural Resources with an 80/20 match. He then reviewed plans for parking lots to access the wilderness trails and expressed hope that the Centre Region municipalities would consider either financial or in-kind contributions.

Mr. Dan Sieminski, Penn State's Assistant Vice President for Business and Finance, shared that Spring Creek Canyon is an 8 year project with players from the University, Fish & Boat Commission, Game Commission, and Benner Township.

Mr. Elnitski ended the discussion by suggesting that the COG members share ideas and determine whether a planning committee would be appropriate and what future steps the project should take.

#### RESOLUTION TO SUPPORT AN AMENDMENT TO THE UNIFORM FIREARMS ACT

Motion was made by Mr. Warner and seconded by Mr. Rosenberger that the General Forum approve Resolution 2011-6 that requests that the General Assembly of the Commonwealth of Pennsylvania amend 18 Pa.C.S. § 6120(a), by adding as follows: other than the possession of firearms, ammunition or ammunition components in municipal parks and/or municipal buildings owned by the county or local municipality.

Mr. Steff reported that he was in receipt of a communication from Municipal Managers Fountaine (State College Borough) and Kunkle (Ferguson Township) recommending that the General Forum adopt a resolution that expresses support to amend the Pennsylvania Uniform Firearms Act as to extend the firearm exemption clause to municipally owned parks and buildings. He referred members to a draft Resolution 2011-6 which recommends that public parks be treated like courts and schools under state law. He emphasized that this proposal is an effort to get the state to change the law.

Discussion followed with options expressed from both perspectives. A unit vote on the motion was called with the following results:

College Township	NO	(felt further discussion was necessary)
Ferguson Township	YES	
Halfmoon Township	Abstain	
Harris Township	NO	
Patton Township	NO	
State College Borough	YES	

## YOUNG LUNGS AT PLAY

Parks & Recreation Director Ron Woodhead introduced Ms. Lori Jones from the Penn State Cooperative Extension and referred members to a fact sheet in the agenda packet regarding an initiative to make park play areas tobacco-free.

Motion was made by Mr. Rosenberger and seconded by Mr. Pytel that the General Forum, as recommended by the Centre Regional Recreation Authority, hereby authorize the Authority to implement the "Young Lungs at Play" initiative in an advisory capacity in their respective municipal and Centre Region Parks & Recreation-maintained park areas.

In response to a question from Mr. Klees, Mr. Woodhead stated that an effort will be made to use existing posts to secure the signage in an effort to avoid increased maintenance. He also stated that the signs are provided free of cost from the Extension.

Mr. Heinsohn objected to the term second hand smoke as being harmful as it is diluted in the open space of the outdoors. He noted that the signage is egregious and distorts the truth.

Vote in favor was 25-2 with Ms. Shoemaker and Mr. Heinsohn voting against the motion.

## 2011/2012 DRAFT CATA BUDGET

As a member of the COG Finance Committee, Walt Wise provided background information on the proposed 2011/2012 CATA budget. He reported that the next step in the process is for the General Forum to refer the budget to the municipalities for comment. He added that there are several complex issues attached to the budget, including the uncertainty of federal and state funds.

CATA General Manager Hugh Mose said he would be attending the municipal meetings to assist in the discussion should questions arise.

Motion was made by Mr. Graham and seconded by Mr. Luck that the General Forum receive the proposed 2011/2012 CATA budget, and refer it to the municipalities for review; and further, that the municipal comments on the budget be forwarded to the municipal representatives on the Finance Committee by 8:30 AM, May 16, 2011 for consideration.

Mr. Klees noted that Mr. Mose was recently appointed to the Governor's Transportation Funding Guidance Committee. Mr. Mose reported that the Committee met in Harrisburg earlier in the day and began brainstorming on transportation enhancements and program modifications. He added that a report is to be presented to the Governor by August.

Vote in favor of the motion was unanimous.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Steff referred members to the April Activity Report enclosed in the agenda packet. He then commended Mr. Woodhead on his quiet and professional manner working with elected officials, consultants, and numerous organizations to expedite the regional parks projects.

## **UNIVERSITY REPORT**

Mr. Sieminski had nothing to report.

## **COMMITTEE REPORTS**

**Executive Committee** – Mr. Steff reported that at its April 19, 2011 meeting the Committee referred a request to designate the Centre Region as a bicycle friendly community to the Transportation & Land Use Committee.

**Finance Committee** – Mr. Wise reported that the Committee met in special session on April 4, 2011 to finalize the next step in the borrowing process for regional park development. The Committee met in regular session on April 11 and reviewed the CATA budget and discussed a survey on assessing how COG budget documents are used.

**Human Resources Committee** – The Committee did not meet.

**Public Safety Committee** – The Committee did not meet.

**Public Services & Environmental Committee** – No report was offered.

**Transportation & Land Use Committee** – Mr. Luck reported that the Transportation & Land Use Committee met on April 13, 2011 and discussed additional ways to gather citizen comments on the Comprehensive Plan.

**Centre Regional Planning Commission/CCMPO** – Mr. May had nothing further to report.

**Emergency Management Council** – The Council will meet on April 26, 2011.

**Parks Capital Committee** – Mr. Klees had nothing more to report

**Parks & Recreation** – Mr. Woodhead reported that poor weather prevented parks crews from moving dirt at Hess Field, putting the project slightly behind schedule for the moment.

## OTHER BUSINESS

**Next Meeting** – Mr. Filippelli reported that the May 23, 2011 General Forum meeting will be held at the Ferguson Township Municipal Building.

## ADJOURNMENT

There being no further business, the April 25, 2011 meeting of the COG General Forum was adjourned at 9.40 PM.

Respectfully submitted,

Cathleen M. Prosek  
Recording Secretary