

**Meeting Agenda**  
**State College Borough Council**  
**Regular Meeting**  
**September 13, 2021**  
**7:00 p.m.**

*Please note: The Monday, September 13, 2021, Borough Council Regular Meeting will be a hybrid meeting – held in person in the State College Municipal Building and via Zoom for participants who are unable to attend in person. The Zoom link is:*

[https://us02web.zoom.us/webinar/register/WN\\_7TJ2MnF1QR61zNLDnkHyJQ](https://us02web.zoom.us/webinar/register/WN_7TJ2MnF1QR61zNLDnkHyJQ).

**I. Call to Order**

**II. Moment of Silence and Pledge of Allegiance**

**III. Roll Call**

Ronald L. Filippelli, Mayor
Jesse L. Barlow, Council President
Deanna M. Behring
Janet P. Engeman
Theresa D. Lafer
Peter S. Marshall
Evan Myers
Katherine Oh Yeaple

**IV. Virtual Meeting Procedure Overview**

**V. Public Hearings – None**

**VI. Special Reports, Proclamations and Special Business**

- A. Welcoming Week – Mayor Filippelli declares September 10 – 19, 2021, as Welcoming Week in the Borough of State College. [Page 9]
- B. Hispanic Heritage Month – Mayor Filippelli announces September 15 through October 15, 2021, as Hispanic Heritage Month. [Page 10]
- C. State College Meals on Wheels – Mayor Filippelli proclaims this to be a time for the citizens of State College and the Centre Region to support State College Meals on Wheels and celebrate its 50 years of service to the community. [Page 11]

- D. Lung Cancer Awareness Month – Mayor Filippelli proclaims November 2021 as Lung Cancer Awareness Month in the Borough of State College. [Page 12]
- E. Resolution Opposing the Forensic Audit of the PA 2020 Election – Council President Barlow will introduce a resolution opposing the forensic audit of the PA 2020 Election. [Page 13]

## VII. Public Hour – Hearing of Citizens

Anyone in the audience wishing to address Council with an item that is not on the agenda and is Borough related should ask to be recognized at this time. Each speaker will have up to four minutes to present comments to Council.

## VIII. Consent Items

Recommendation: Staff recommends that Council approve the following consent items. (Attached to the agenda beginning on *Page 15* is the background information.)

- A. Payroll and Accounts Payable vouchers for the month ended August 31, 2021, totaling \$3,298,213.34.
- B. Approve minutes from the following Council meetings:

July 28, 2021	Special Meeting	<i>Page 17</i>
August 16, 2021	Regular Meeting	<i>Page 23</i>
- C. Award Project #08-2021 (Municipal Building Brick Replacement) to Steel Nation Environmental, Inc., the low bidder, in the amount of \$268,321.45. [Page 37]
- D. Approve a resolution for the Destruction of records in the Administration, Finance and Police Departments. [Page 39]
- E. Approve, *with conditions*, the closure of West Calder Way, between South Fraser Street and South Pugh Street, for DSCID's Military Appreciation Event on Sunday, November 14, 2021, from 1:00 p.m. to 7:00 p.m. [Page 43]
- F. Approve the use of public property for the Susquehanna Service Dogs' Roar for More event to occur on Friday, October 22, 2021, in front of First National Bank located at 366 East College Avenue. [Page 47]
- G. Approve the closure of South Fraser Street from the Fraser Street Parking Garage Entrance to West College Avenue and the usage of MLK Plaza, for

a Latin Festival on Saturday, October 10, 2021, from 7:00 a.m. to 8:00 p.m. [Page 49]

- H. Approve, *with conditions*, the closure of the 100 block of Allen Street for the Allen Street Jam Event on Saturday, October 18, 2021, from 9:00 a.m. to 9:00 p.m. [Page 55]
- I. Approve the closure of West Prospect Avenue from South Barnard Street to South Gill Street on various dates for the SCASD Girls' Tennis Matches from 3:00 p.m. to 7:00 p.m. [Page 63]
- J. Approval of the Solar Power Purchase Agreement (SPPA) Working Group's recommendation and authorize Council President Jesse Barlow to vote to recommend that the SCASD retain GreenSky Development Group as the Energy Services Consultant for the SPPA project in an amount not to exceed \$75,000, of which the Borough's share is 9.69% or \$7,268.00. [Page 67]

## **IX. General Policy and Administration**

### **A. Consider Enactment of a Temporary Emergency COVID-19 Ordinance**

On August 4, 2020, in response to the COVID-19 pandemic, Council adopted Ordinance 2144, the first COVID-19 Mask Wearing and Gathering Size Limitation Ordinance. Since then, the following actions have been taken by Council related to the ongoing COVID pandemic:

August 17, 2020, Council repealed Ordinance 2144 and enacted Ordinance 2145. January 4, 2021, Council repealed Ordinance 2145 and enacted Ordinance 2152. May 10, 2021, Council repealed Ordinance 2152 and enacted Ordinance 2155. On June 10, 2021, the Pennsylvania state legislature ended the Governor's State of Emergency declaration thus making Ordinance 2155 no longer in effect.

Over the summer, the number of COVID positive cases in Centre County has continued to increase. The Centers for Disease Control (CDC) established criteria for determining the level of COVID virus transmission occurring in each county across the country. The levels the CDC uses to identify each county's rate of transmission include Low, Moderate, Substantial, and High. Centre County has been listed as a Substantial or High Transmission Community by the CDC since mid-August 2021.

As of July 27, 2021, the CDC issued guidance that all persons, regardless of vaccination status, should wear a mask in public indoor settings if they are in an area of substantial or high transmission.

On September 2, 2021, the State College Board of Health (SCBOH) held an emergency meeting to discuss the high rate of COVID virus infection in our community and to consider any actions Borough Council should take to address this high rate of virus transmission in State College and Centre County. The SCBOH took the following action for Council's consideration:

- a. The SCBOH voted unanimously (3-0) to recommend that Council adopt an ordinance mandating all Borough businesses and other facilities open to the public require all employees, customers, and visitors be masked anytime Centre County is identified by the CDC as being a "High Community Transmission" county.
- b. The SCBOH also discussed whether to recommend that Council adopt an ordinance establishing gathering size limits in or at Borough businesses, public facilities, and/or private property but elected NOT to make any recommendation to Council regarding gathering size limits in the Borough.

The Board of Health recommendations are based on the CDC Guidance and the designation of Centre County as an area of "High Community Transmission."

Based on the recommendation from the SCBOH, staff prepared an ordinance requiring face coverings in all Borough businesses, public indoor facilities, or other buildings open to the public for all persons, two (2) years of age or older, regardless of vaccination status, while Centre County remains a High Transmission Community. Included with the agenda is the proposed temporary emergency ordinance. [Page 69]

**Staff Recommendation:** Staff recommends Council enact the proposed temporary emergency ordinance. A roll call vote is required.

B. Offer of Sale of Inclusionary Housing Units at Pugh Centre

In compliance with the Borough's Inclusionary Housing ordinance, ownership of the Pugh Centre Apartments has made an offer of sale to the Borough for six inclusionary housing units that they have been unable to rent for over 12 months. As per the ordinance, the owner must offer the units for sale to the Borough before they have the option of paying a fee-in-lieu to meet the obligation. [Page 73]

The offer of sale is \$475,000 per unit plus costs associated with converting the apartments to condominiums. Those costs are likely to exceed \$150,000 which would lead to a total cost to the Borough of over \$866,667 per unit, for a total cost of approximately \$1,366,677 per unit for the Borough to purchase the units. If Council rejects the offer, the owner will be required to pay the ordained in lieu fee to the borough or approximately \$780,000 to the Borough to meet their obligations under the ordinance.

**Staff Recommendation:** Staff recommends Council reject the offer of sale and accept the fee-in-lieu payment for six 4-bedroom units.

C. Offer of Sale of Inclusionary Housing Units at 254 East Beaver Avenue

In compliance with the Borough's Inclusionary Housing ordinance, ownership of the Edge Apartments has made an offer of sale to the Borough for three inclusionary housing units that they have been unable to rent for over 12 months. As per the ordinance, the owner must offer the units for sale to the Borough before they have the option of paying a fee-in-lieu to meet the obligation. [Page 75]

The offer of sale is \$2,400,000 for 3 units plus costs associated with converting the apartments to a condominium. If Council rejects the offer, the owner will be required to pay the ordained in lieu fee to the Borough as a fee-in-lieu payment to meet their obligations under the ordinance. The estimated in lieu fee is \$440,000.

**Staff Recommendation:** Staff recommends Council reject the offer of sale and accept the fee-in-lieu payment for the 3 units.

X. **Planning and Zoning**

A. Subdivision of Tax Parcels 36-14-116 and 36-06-008J Creating Penn State University's Wastewater Treatment Plant Easement

As part of the Water Reclamation Facility project at the Penn State wastewater treatment plant, the University is proposing to improve safety and access by relocating the driveway for the facility further south on University Drive. To allow a location for the new driveway to be constructed, the Borough is proposing to convey an easement of approximately 18,200 s.f. to Penn State over an undeveloped tract owned by the Borough. Penn State will convey approximately 0.35 acres in fee of property to the Borough along with other considerations. On November 9, 2020, Council approved the grant of easement and authorized the Borough's officers to execute a development agreement with the University, subject to approval by the Solicitor.

In order to complete the conveyance, the University has prepared a subdivision plan that subdivides part of the University's property and also creates the easement area over the Borough's property for the new plant driveway. The Borough Code requires subdivision plans to be approved by Council upon recommendation from the Planning Commission. This is a ministerial act, and should the application meet the ordinance requirements, Council is required to approve the subdivision. Staff notes that a lot addition plan will be required to add the new lot to the existing Borough property after Council acts on the subdivision, but lot addition plans do not require Council approval. [Page 83]

The Planning Commission reviewed the final plan at its August 19, 2021, meeting and recommended approval. No comments were provided.

**Staff Recommendation:** Staff recommends conditional approval of the plan.

**B. Local Historic District Operations and Cost Information**

At Borough Council's August 2, 2021 meeting, Council asked for operations and cost information on the administration of the Borough's local historic districts and Historical Architectural Review Board (HARB). Staff reviewed information for all of the Certificates of Appropriateness, as well as estimated staff time associated with administration of the local historic district ordinance. Compiled information is memorialized and attached to the agenda on *Page 85*.

Staff recommends Council review and discuss the information provided by staff. Council should provide direction to staff on how it wishes to proceed. If Council wants to consider amending or repealing the ordinance, Council should provide clear guidance to staff.

**Staff Recommendation:** Staff recommends that Council provide direction to the Manager if it wishes to take further action on the HARB Ordinance or regulations.

**XI. Public Works**

**A. Noise Waiver for North Atherton Street (between Westgate Building and Clay Lane) for Columbia Gas of PA**

Mr. Logan Harper, Columbia Gas of PA's Field Engineer, is requesting a noise waiver to permit Columbia Gas to work on North Atherton Street from the Westgate Building to Clay Lane, beginning on Monday, September 27, 2021, with completion by October 20, 2021. [Page 89]

The work will consist of saw cutting, excavation, and removal of existing soil and roadway, installation of a new gas pipe, backfilling and compaction of trenches and excavations, along with restoration. The hours Columbia Gas would like to work are Monday through Friday between 6 p.m. and 6 a.m.

If approved, Columbia Gas will be required to notify adjacent property owners a minimum of 72 hours before the start of the construction.

Staff recommends Council approval of the noise waiver due to a number of factors including, safety of motorists/pedestrians, the demographics of the area, and the timely completion of the work in the safest manner possible.

**Staff Recommendation:** Staff recommends that Council approve the noise waiver to allow overnight work between September 27, 2021 and October 20, 2021.

**XII. Public Safety – No Business**

**XIII. Equity and Inclusion** – Staff will provide an update on the Borough's Equity and Inclusion Program.

**XIV. Parking – No Business**

**XV. Regional Issue – No Business**

**XVI. Official Reports and Correspondence**

A. Mayor's Report

B. President's Report

*Council met in an Executive Session prior to this meeting  
to discuss legal and personnel matters.*

*Council's October 11, 2021 Work Session is cancelled.*

C. Staff/Committee Reports

D. Student Representative Reports

- SCASD – Clarissa Theiss
- UPUA – Carter Gangl
- GPSA – Travis Russell

**XVII. Adjournment**

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# Proclamation

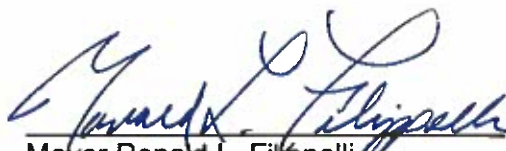
*WELCOMING WEEK*  
*September 10 – 19, 2021*

- WHEREAS, our success depends on making sure that all people of good will feel welcome here; and
- WHEREAS, new residents are a vital part of our community – bringing fresh perspectives and new ideas, starting businesses and contributing to the vibrant diversity that we all value; and
- WHEREAS, regardless of where we are born and what we look like, we are united in our efforts to build a stronger State College; and
- WHEREAS, by recognizing the contributions that we all make to create a vibrant culture and a growing economy, we make our community more prosperous and more inclusive to all who want to put down roots here and who already call it home; and
- WHEREAS, by coming together to build communities where every resident has the opportunity to contribute his or her best, we create a more prosperous community and reaffirm that State College still stands as a beacon of freedom and opportunity; and
- WHEREAS, during Welcoming Week, all residents are invited to join this nationwide movement of communities by renewing their commitment to our core American values and taking action in the spirit of welcoming.

NOW, THEREFORE, I, Mayor Ronald Filippelli, do hereby proclaim the week of September 10 through 19, 2021, as Welcoming Week in the Borough of State College and encourage all residents to join together to honor the spirit of unity that brings neighbors together across State College and builds a stronger community.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed, the great seal of the Borough of State College, this 13<sup>th</sup> day of September 2021.



  
Mayor Ronald L. Filippelli  
September 13, 2021



# Proclamation

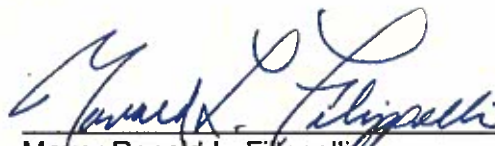
*HISPANIC HERITAGE MONTH  
September 15 – October 15, 2021*

- WHEREAS, National Hispanic Heritage Month is an opportunity to celebrate the rich cultural traditions and honor the significant achievements of our Hispanic and Latino American communities; and
- WHEREAS, Hispanics are the largest ethnic minority group in the country, the fastest growing minority community in the commonwealth, and make valuable contributions to the commonwealth in business, industry, government, education, the sciences, arts and faith; and
- WHEREAS, brave Hispanics have served with distinction in military conflicts since the Revolutionary War and continue to defend our country today as members of the Armed Forces, bringing honor and earning the nation's gratitude for their service and sacrifice; and
- WHEREAS, Hispanic and Latino Americans have made enormous contributions to our diverse society by sharing their talents, culture, traditions, and their deep connection to family values and a commitment to faith and a desire to live the American dream.

NOW, THEREFORE, I, Mayor Ronald Filippelli, do hereby proclaim September 15 through October 15, 2021, as Hispanic Heritage Month in the Borough of State College and encourage all residents to celebrate the heritage and achievements of Hispanic and Latino Americans and recognize their contributions to our nation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed, the great seal of the Borough of State College, this 13<sup>th</sup> day of September 2021.



  
Mayor Ronald L. Filippelli  
September 13, 2021



# Proclamation


## STATE COLLEGE MEALS ON WHEELS 50<sup>th</sup> ANNIVERSARY

- WHEREAS, State College Area Meals on Wheels is celebrating its 50<sup>th</sup> Anniversary; and
- WHEREAS, State College Area Meals on Wheels prepares and delivers nutritious, affordable meals to the elderly and disabled living within the State College Area School District to help maintain their quality of life and allow them to remain in their own homes; and
- WHEREAS, the idea for a Meals on Wheels program originated in March 1971 as a Lenten project of the State College Ministerium. The Ministerium worked with members of the Altrusa Club of State College and Church Women United to fund the program; and
- WHEREAS, for 50 years, Grace Lutheran Church has been the home of State College Area Meals on Wheels, and without the support of Grace Lutheran Church, State College Area Meals on Wheels could not accomplish its important mission; and
- WHEREAS, the first meal was served to 28 clients on August 16, 1971, and five-day per week service began on June 16, 2015. Since its inception, State College Area Meals on Wheels has delivered more than 1.5 million meals to its clients.

NOW, THEREFORE, I, Mayor Ronald Filippelli, do hereby proclaim this to be a time for the citizens of State College and the Centre Region to support State College Area Meals on Wheels and celebrate its 50 years of service to the community.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed, the great seal of the Borough of State College, this 13<sup>th</sup> day of September 2021.



  
Mayor Ronald L. Filippelli  
September 13, 2021



# Proclamation

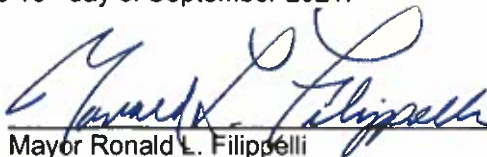
## LUNG CANCER AWARENESS MONTH November 2021

- WHEREAS, lung cancer is the leading cause of cancer death among men and women in the United States and in Pennsylvania in 2021, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined. The 5-year survival rate for localized lung cancer is ~59%, yet only ~17% of lung cancers are diagnosed at this stage; and
- WHEREAS, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; and
- WHEREAS, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and
- WHEREAS, lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer; and
- WHEREAS, African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities; and
- WHEREAS, lung cancer in never smokers is the 7<sup>th</sup> leading cause of cancer-related death. 60-70% of never smokers diagnosed with lung cancer are women, and the proportion of lung cancers diagnosed in never smokers is increasing in the US; and
- WHEREAS, organizations working in Pennsylvania, such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in Pennsylvania.

NOW, THEREFORE, I, Mayor Ronald Filippelli, do hereby proclaim November 2021 as Lung Cancer Awareness Month in the Borough of State College and recognize the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed, the great seal of the Borough of State College, this 13<sup>th</sup> day of September 2021.



  
Mayor Ronald L. Filippelli  
September 13, 2021





## **RESOLUTION \_\_\_\_\_**

### **RESOLUTION OF BOROUGH OF STATE COLLEGE OPPOSING THE FORENSIC AUDIT OF THE PENNSYLVANIA 2020 ELECTION**

**WHEREAS**, On October 6, 2020, State College Borough Council unanimously endorsed a letter from the Council President opposing H.R. 1032 that proposed establishing a “Select Committee on Election Integrity” to audit the 2020 election; and

**WHEREAS**, in August 2021, the Pennsylvania Senate President Pro Tempore Jake Corman announced the formation of an “election audit” committee that will perform a “forensic audit” of the 2020 election that will give that committee subpoena power and access to voting machines; and

**WHEREAS**, the Commonwealth has already audited the 2020 election twice and certified the results; and

**WHEREAS**, a statement issued by the Department of Homeland Security issued in mid-November 2020 called the 2020 election “the most secure in American history;” and

**WHEREAS**, FBI Director Christopher Wray has stated that “We have not seen, historically, any kind of coordinated national voter fraud effort in a major election, whether it's by mail or otherwise;” and

**WHEREAS**, at least 63 election lawsuits filed by the 2020 Republican Presidential Campaign have in the words of the Brennan Center for Justice, “failed to discount a significant number of votes, block the certification of results, or overturn the results of any race” and “in a number of these cases, courts have forcefully rebuked lawyers for their outlandish claims of voter fraud, egregious lack of evidence, and misuse of the judiciary;” and

**WHEREAS**, by investigating an election where there is an egregious lack of evidence such an audit compromises the integrity of future elections and infringes on the right of all eligible voters in Pennsylvania to vote; and

**WHEREAS**, the right to vote is mentioned in the 15<sup>th</sup>, 19<sup>th</sup>, and 26<sup>th</sup> amendments to the United States Constitution and in Article VII of the Pennsylvania Constitution both of which elected officials in Pennsylvania take an oath to uphold.

#### **NOW THEREFORE BE IT RESOLVED,**

1. That the Borough Council of the Borough of State College does hereby opposes the forensic audit of the 2020 election underway in the Pennsylvania State Senate as unnecessary

and with no foundation in fact, recommends that the committee halt the investigation, and that the committee be disbanded.

2. That this Resolution shall be sent to Senate President Pro Tempore Jake Corman and Senator Chris Dush with copies to our State Representative(s) and Governor,

**RESOLVED AND ADOPTED** at a duly advertised public meeting on this \_\_\_\_\_ day of September, 2021.

ATTEST

BOROUGH OF STATE COLLEGE

\_\_\_\_\_  
Sharon K. Ergler  
Assistant Borough Secretary

By: \_\_\_\_\_  
Jesse L. Barlow  
Council President

## CONSENT AGENDA September 13, 2021

### VIII. Consent Items

Recommendation: Staff recommends that Council approve the following consent items. (Attached to the agenda beginning on *Page 23* is the background information.)

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***Meeting Minutes***  
**State College Borough Council**  
**Special Meeting**  
**July 28, 2021**

The State College Borough Council met in a Special Meeting (hybrid – in person and virtually) on Wednesday, July 28, 2021, in the Municipal Building, 243 South Allen Street, State College, PA 16801. Council President Barlow called the meeting to order at 6:01 p.m.

Present:        Ronald L. Filippelli, Mayor  
                  Jesse L. Barlow, Council President  
                  Janet P. Engeman  
                  Theresa D. Lafer  
                  Peter S. Marshall  
                  Evan Myers  
Virtually:      Deanna M. Behring  
                  Katherine Oh Yeaple

Mr. Fountaine did a Roll Call and noted there was a quorum of Council attending the meeting.

Also Present: Thomas J. Fountaine II, Borough Manager; Thomas R. King, Assistant Borough Manager for Public Safety; Stacy E. Hall, Administrative Assistant; Douglas Shontz, Assistant to the Manager; Borough residents in person and virtually via C-NET and those who registered through GoToWebinar.

**Virtual Meeting Procedure Overview**

Mr. Shontz provided a procedural overview for those who were participating virtually.

**Diversity, Equity, and Inclusion**

Community Oversight Board

Mr. Barlow announced this was a Public Hearing to receive public input.

Mr. Barlow asked Mr. Thomas King, Assistant Borough Manager for Public Safety, to provide an overview of the draft ordinance which he did in detail.

Mr. Barlow reminded Council that there would be no discussion or vote on the proposed ordinance at the meeting as the purpose was to obtain public input. He said any speaker who posted questions should leave contact information so their questions could be answered later. He noted that Council could ask clarifying questions of the public comments, if necessary. He reminded the public to keep comments on the topic of the proposed ordinance and personal comments regarding other speakers was not topical. He said next Monday there would be a voting meeting where people could speak at Public Hour.

Ross Cooper, a Patton Township resident, said he was born in State College and was a Penn State graduate. He served as a district attorney and then went on to be a special agent for the FBI. He said he was now retired. During his time with the FBI he said he conducted numerous civil rights investigations. He said he supported the ordinance as written. He wanted to note that there were seven other entities that oversee the SCPD. They were Borough Council, Chief of Police, Police Internal Affairs, Centre County District Attorney, PA Attorney General, U.S. Department of Right Division, and the Federal and State Court Systems. He said the COB must be seen as fair and impartial acting in the interest of the entire community and must be inclusive to represent the entire community. He said the COB would represent each voter. Secondly, he said there needed to be proper oversight of the COB. He felt no one should continue on the COB if it became apparent that a member harbored a bias or prejudice against the SCPD. He noted there was a great need for transparency. He said all candidates should undergo a

limited background check including a comprehensive criminal history check looking for dishonesty or harassment towards police.

Carter Gangl, UPUA Student Representative, thanked everyone who came out to speak and address concerns. In Section 6 of the Ordinance where it stated "knowledge of law enforcement, but no employed in a law enforcement position during the previous three years" he asked Council to consider making it that no former law enforcement person should be on the board. He expressed his concerns over Council selecting the members of the COB as it could cause biases. He said he would like the term of the PSU student to be 3 years, the same as the others. He concluded by encouraging the public to comment at [engagestatecollege.us](http://engagestatecollege.us).

Dick Anderson, a Ferguson Township resident, stated he previously lived in the Borough for 16 years. He noted that shootings by police were justified when there was violence. He thought racism was all through the ordinance. He said the public was begging for police protection. He said the police should be celebrated and appreciated. He stated the special events occurring downtown have created more stress on the police. In choosing members of the COB, he said having an unbiased board was crucial. He thought there had been a steady improvement in race relations over the past year. He did not believe this community, or our police were racist, but there was always room for improvement. He said we needed to respect each other as well as authority.

Janet Irons, a Harris Township resident, encouraged Council to think beyond the typical ABC as this was not typical and the usual process to find volunteers would not work for this particular board. She said there should be the same thinking when choosing the Board Coordinator. She thought the Executive Director should operate under the direction of the board, which is nothing like what appeared in the ordinance. She noted Council intended for the COB to have independence so whoever was assigned, their duties should be at the direction of the board. She thanked Council for the time they put into this.

Susan Rogacs, a State College Borough resident, stated she has been a long-time resident of State College for over 45 years. She said she loved State College and had raised her family here. She talked about when there was a fire in her neighborhood with a disabled woman inside and the police and one Borough employee went inside the burning home and saved her. She said these were the police she respected and had respected for a long time. She said the police were needed and should not be defunded. She said there appeared to be a group that was changing the community. She said she had seen sidewalks and Borough buildings covered with writings stating police were racist pigs and murderers. She said she was never in favor of the COB. She realized Council approved it, but among the neighbors in her neighborhood they do not want the COB to have power. She hoped they would be fair, as they would be an unelected board. She hoped that after two years, if the COB was found unnecessary, it would be stopped and not continued for decades and decades.

Tim Johnson, a State College Borough resident, asked if the coordinator role was being added to an existing staff person's job or would it be a new position? He thought it seemed too big for any employee and should be a new position. He asked if the coordinator was a Borough employee, who had hiring and supervisory responsibilities for that person? He thought the Board should select that staff person and also conduct their annual performance review. He said keeping that person separate from Borough staff was essential to ensuring they were independent and maintaining the community's trust. He asked if the coordinator was a Borough employee and if there were a serious conflict between the Board and the coordinator such as the Board thinking the coordinator was not fulfilling their responsibilities, what would the process be for them to provide feedback to the coordinator's supervisor? He asked if the Board had the authority to decide if the person stayed in that role? He said these were important decisions to make in order to ensure the COB was independent and trusted by the community. He thanked Council for their time and work on this topic.

Melanie Morrison, a Millheim resident and Secretary of the 3.20 Coalition, said she was invested in the successful implementation of the COB. She noted that after many meetings and deliberations the ordinance was ready. She said nothing was set in stone and wanted to highlight areas that would affect the effectiveness of the board. She trusted that Council would consider the views of the historically marginalized people carried far more importance in this matter than the people who saw this as unnecessary. She said the COB would be there for those people as well. She stated everyone would benefit from this work even if their privilege may currently blind them. She noted the Executive Director position was not in the final draft, but there was a board coordinator, and this was concerning. She said the COB could not be independent if the coordinator was someone who worked for the Borough in another capacity. She said it would blur the transparency and would be a conflict of interest. She thought there would be an Executive Director that was a paid position. She said it was already concerning that Borough funds were not coming from secure Borough funding, but the Board should not be 100 percent volunteer. She noted the ad hoc Committee spent time, effort and care to set recommendations and asked Council to regard personal work over personal bias so they could earn the trust of the community that desperately needed it.

Geoffrey Landers-Nolan, a resident of Ferguson Township, echoed what Ms. Morrison said. He said his primary concern was the independence of the Board, particularly the paid staff person operating the Board. He said there needed to be true independence such as a person hired outside of Borough staff as that was important for legitimacy and completeness of tasks. He said Borough staff should not be a part of internal investigations as it was a conflict of interest. Regarding funding, there was a promise of funding through existing funds and the Executive Director position was to take up the bulk of the funding for the Board. If that no longer existed, he asked where the funding was going? Regarding training of the Board, he encouraged Council to look at the training suggested and asked if it was appropriate for this Board? He said functions such as ride-a-longs and the Citizens Police Academy were not necessary. He noted he was pushing for the COB for the protection and safety of community members and continued function of the SCPD.

Chris Potalivo, a resident of Harris Township, said he recognized this was a done deal even though State College did not have the plethora of police discrepancies that plagued other communities. He noted it was abundantly clear that the 3.20 Coalition did not want a COB to better the community, but rather to radically change the SCPD to drive a political narrative that did not exist in this community. The 3.20's main goal, as they state, was founded on the unsubstantiated claim that Osaze Osagie was murdered by police. He said this was disgusting that they were promoting their political agenda by leveraging that tragedy.

Robert Ziegler, a resident of Millheim Borough, said the COB was needed. He noted experiences around the country had precipitated all of the attention to this. He asked how many police brutality cases have been in State College in the past 30 years? He said there had not been many. He stated Council was asking for highly talented people with backgrounds in so many things. He cautioned that the layman, no matter what their experience, could not identify with what goes on in the street and what goes on elsewhere. He said the police do things we could not do and do not want to do but needed to be done. He said his caution was the fact that the Board did not lean too far one way or the other and understood that every one of these situations was a situation between people. He thanked Council for listening.

Ellen Freeman, a resident of Patton Township who works in the Borough, said she thought it was very important to have a COB. She said there should be transparency of the COB and an Executive Director was important versus having a board coordinator.

Josh Portney, an undergraduate student living in State College, said he thought there was a need for the COB. He said there should be more than one seat for a PSU student on the board, perhaps 3. In referring to the data in the report about University Police, he asked if the COB could look at more data

involving interaction with students that did not involve use of force? Mayor Filippelli made it clear the COB would not have authority over University Police and Mr. Portney said he understood that but noted they do share downtown policing.

Anton Alloquin, a resident of State College Borough and member of the 3.20 Coalition, said he had concerns regarding monitoring. He asked for justification of having only three members of the Board monitoring a case. What role did the police have in monitoring? Regarding the auditing process, he asked why Borough staff was involved with no Board Members? He asked if Board Members had the opportunity to be a part of the auditing process? If not, he said that meant Board Members could only audit complaints from the past couple months and could only provide oversight on closed cases. He pushed for a stronger Board to prevent atrocities.

Joseph Reese, a resident of College Township, said the COB was only the first step in building trust in all segments of the community. He noted that Minneapolis had a COB when George Floyd was murdered. He said sustained and financial commitment were needed. He pointed out that Resolution 1250 stated the COB would be funded through existing funds, but now it was emergency funds. He said that needed to be rectified. He stated there was fear surrounding the COB and the ordinance and his hope was the COB would not take away safety because for many people the police represent safety, but for some they do not. He thought the COB was a step to make sure all citizens felt safe.

Robert Shearer, a resident of Harris Township, said he had lived in State College for 20 years and his experiences with the police had been positive. Regarding the critical race training, he did not think that was helpful for an objective approach. He asked if there would be a provision in the budget for the COB to sunset after so many years and what would the precedence be for sunseting of the board? He suggested failures be documented along the way as well as things done well. He hoped money could be spent on mental health resources as the Borough was lacking in that area. He noted objectivity was going to be a challenge and careful consideration of those things was an important mindset to have. He asked how outcomes would be measured and if there would be an annual review?

Vilmore Musage, a resident of State College Borough, said he appreciated the consideration and funding of the COB. He said a permanent allocation in the budget was important. He thought there should be a paid executive director instead of an committee coordinator. He asked why it would be a current Borough administrator picked by the Manager? He said a staff member could be a liaison, but to have that person be the main focus and director of the COB was very problematic. He noted if the coordinator, who was a Borough administrator, was the sole person auditing that would also be problematic. He noted that was not independent and was unacceptable. He thought no police officers should be a part of the COB. Any former law enforcement members should be limited to one, but if the law enforcement officer left under a bad situation that would not be concerning. He thought doing background and criminal checks made good sense, but people from under-represented groups might have a history of records and that could represent an unintended barrier.

Chris Hopkins, a resident of Port Matilda, said she had been the victim of a crime that had not received justice. She noted she was a former police officer. She said her concern was the police officers discussed did not have freedom of speech, so they were already at a liability in defending themselves. Regarding not have a police officer on the board that has not been working the past three years, she would like to see the definition of a police officer added. She voiced her concerns about the COB being an unelected redundancy board and wasting taxpayer dollars. She said there was a Municipal Records Act that documents could only be kept for three years maximum unless the Union and Borough agreed. She said that was changed by former police chief, Tom King, when he made it permanent, and those records could be shown to a slanted board. She felt those records should not be made available to people who did not understand them.

Sarah Wylie, a resident of State College Borough, thanked Council and the 3.20 Coalition. She thought there should never be anyone who was ever a police officer on the COB. She said the board was not to be balanced, but the point was it to be a group of civilians making sure police were held accountable. She noted everyone had experience being civilians. She did not think it was necessary to do a ride along with a police officer and the COB did not need to be buddy-buddy. She said she supported the critical race training as people on the board would deal with that. She questioned why only two people would have to attend the quarterly meetings and how they would be chosen?

Ezra Nanes, a resident of State College Borough, stated as a husband and as a father of two young girls he thought the COB was incredibly important and expressed urgency in passing the ordinance. He said the growth of the community depended on having a strong relationship with the police. He said the COB would address racism. As far as the issue of the coordinator, he was not sure why the ordinance was changed. He stated it did not feel as much a member of the board as an employee of the Borough. He expressed the need for an independent COB and asked why that part of the ordinance was changed?

Divine Lipscomb, a resident of State College Borough, thanked Council for their work and service. He thanked them for their time and energy making the ordinance. He said he would like to see a COB as a member of our community had died. He thought when discussing what the COB would look like, it should not be in the hands of someone connected with the Borough. He said it should be strongly independent or there would be a bias. He noted everyone wanted to be safe and wanted police to make people feel safe because we are all neighbors and community members. There needed to be collective ways to discuss, investigate and mitigate problems. That needed to be paid for so there was not another death and we pay for things that we value. He employed Council to look at the independence of the board and what that would look like for the community.

Becky Misangyi, a resident of State College Borough, echoed the importance and purpose of the COB was oversight of the police and police should not oversee police. She understood the power of the critical race theory and that needed to be continued. She reiterated that the executive director position should be an independent position and not someone employed by the Borough. She said the board coordinator could be responsible for developing procedures and processes of the board and they would get to observe investigations and not members of the COB. She said it seemed like Borough Council did not trust the COB if they felt they had to have someone from the Borough directing them. She said that was not the message Council was sending.

Regarding the section where it says the Police Department shall provide the Board with timely unfettered access to necessary information within limits imposed by law, she said that sentence felt weird to her. She stated it would be helpful to have those things very specific and it needed to be more clear as to what the Board would not be able to see.

Glenn Jackson, a resident of Centre Hall and retired police officer, noted that he had arrested another police officer in his time. He said when investigations are open to a handful of civilians it causes trouble. He stated police needed time to investigate issues themselves and if civilians entered that court, instead of becoming an issue of right or wrong, it would come down to personality conflicts or politics and would not go well. He noted a civilian would not know what went on in the streets. He said what people see and experience was how they behaved. He said police needed to be allowed to do their job. He said there needed to be checks and balances but cautioned against it. He pointed out there were seven other checks and balances that could oversee the police. He asked Council not to give the COB unilateral call over the police officers. He asked to let the police do their job and if there was a problem, then talk about it.

Tierra Williams, a resident of Ferguson Township and Chair of the 3.20 Coalition, said they were pushing for transparency and accountability in the police force. She said the 3.20 Coalition was a hate group, but the only thing they hated was white supremacy. She noted in the midst of this crisis, Council had given

the information needed, but some had made problematic statements. She said it was apparent that not all of Council shared a common interest. She said the board should be balanced and if there was a former police officer on the Board, there should also be someone who was formerly incarcerated as well as an activist. She said she did not agree with police ride a longs, but if they occurred, they should visit areas of the community that are disenfranchised and speak with members of the black and brown community and grass roots organizations to get to know them. She said it was important to stand strong and bring forth all acts of bigotry. She urged Council to listen to them and supply them with what they needed.

Deann Wylie, a resident of State College Borough, said she appreciated the help of the police in the past, but acknowledged she did not understand what marginalized people had experienced. She said it was clear there was something going on that there was a community gathering going on to look at it. She said she supported the COB, but it needed to be transparent and independent in order to have fair treatment for all of the residents. She appreciated the efforts of all to improve the community and help neighbors.

Nate Presley, a resident of State College Borough, applauded the work of Council. He wanted to make sure there was a representative on the COB for people who were dealing with poverty and formerly incarcerated. He said if there was going to be someone from law enforcement on the COB, there needed to be people with experience on the other side of the criminal justice system on it as well to see things on multiple sides of the issues.

Errol Henderson, a resident of State College Borough, said he was a U.S. Army veteran. He noted there was civilian control of the Army. The spirit of the COB comes through the document. People who do not understand the reason for the COB, do not understand the U.S. Constitution. He said he appreciated the efforts of Council and the comments of the people involved in the process.

Leslie Laing, a resident of Ferguson Township, said she appreciated Council's initiative to move forward with the COB. She stated it was unsettling to think that so many of our fellow citizens and neighbors were not seeking accountability of the police. She said collective efforts and talents were needed and there needed to be a balance. She thanked Council for painfully assembling individuals to think about the establishment of the COB.

Tim Rogers, a resident of Spring Mills, said he was seeking to understand why Council was going to add another layer of bureaucracy. He thought Council was the COB and he thought the citizens already had a voice. He asked Council if they were not capable and if they needed people to tell them what to do?

### **Adjournment**

With no further business to discuss and no further public comments, Mr. Marshall made a motion to adjourn the meeting which was seconded by Ms. Lafer. Mr. Barlow adjourned the meeting at 7:54 p.m.

Respectfully submitted,

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Sharon K. Ergler, Assistant Borough Secretary

Prepared by: Stacy E. Hall, Administrative Assistant

***Meeting Minutes***  
**State College Borough Council**  
**Regular Meeting**  
**August 16, 2021**

The State College Borough Council met in a Hybrid Meeting on Monday, August 16, 2021, in the Municipal Building, 243 South Allen Street, State College, PA 16801. Mayor Filippelli called the meeting to order at 7:01 p.m.

Present:        Ronald L. Filippelli, Mayor  
                  Jesse L. Barlow, Council President  
                  Deanna M. Behring  
                  Janet P. Engeman  
                  Theresa D. Lafer  
                  Peter S. Marshall  
                  Evan Myers  
                  Katherine Oh Yeaple

Also Present:    Thomas J. Fountaine, II, Borough Manager; Thomas R. King, Assistant Borough Manager for Public Safety; Roger A. Dunlap, Assistant Borough Manager/Chief Finance Officer; Eric Brooks, Acting Public Works Director; Dwight Miller, Finance Director; Douglas Shontz, Assistant to the Manager; Ed LeClear, Director of Planning; John Gardner, Chief of Police; Andrew Arnold, Borough Engineer; Craig Bowser, Information Technology Coordinator; Jasmine Fields, Sustainability Program Officer; Sharon K. Ergler, Assistant Borough Secretary; and Borough residents virtually via C-NET and those who registered through the Virtual Meeting link.

**Virtual Meeting Procedure Overview**

Mr. Shontz reviewed the virtual meeting procedures for the audience.

**Proclamations, Resolutions and Special Business**

Appointment of New Director of Public Works

Mr. Marshall made a motion to confirm Council's consent to the appointment of the new Director of Public Works, Brian Robbins. Ms. Lafer seconded the motion, which passed unanimously. Mr. Robbins will start on September 7, 2021.

Resolution Urging Indoor Masking at Businesses and Other Facilities Open to the Public

At the Board of Health's meeting held on August 10, 2021, the Board voted unanimously to recommend to Council they take action to urge indoor masking for all persons, regardless of vaccination status, at Borough businesses and other facilities open to the public.

Mr. Barlow made a motion to approve Resolution 1289, which urged indoor masking at all businesses and other facilities open to the public. Mr. Marshall seconded the motion, which passed unanimously.

Borough of State College Sustainability Plan Report and Update

Jasmine Fields, Sustainability Program Officer, provided Council with an update on the Borough's sustainability efforts over the past six months. Ms. Fields had previously reported in April 2021. She also shared information she had on microplastics, Greenhouse Gas Inventory, the Bicycle Ambassador Program, etc.

### **Items of Information from Council Members**

Mr. Myers said the final U.S. Census figures were released last week for the 2020 Census and the results claim to count approximately 1,500 fewer residents than counted in 2010. He noted that the population should not have been less than 2010 and should have been boosted by 3,000 to 5,000 more students with the construction of several new high rises. He added there were several similar undercounts elsewhere in the community, which he attributed to the Trump Administration who promptly ended the counts due to COVID. He said by the lower Census counts, State College will receive less federal money and it disenfranchises voters. Each voter is worth 10% less and he said the legislative districts were drawn on the faulty data. He encouraged Borough Administration to request a recount.

Mr. Marshall said he had a question about LION Bash 2021. He stated while he understood the Borough hosts this every year, he commented that this year was different because of the COVID Delta variant. He commented that Penn State should not be bringing it back to town and this event could become a potential spreader. He said if that occurred, it would not help anyone in the community.

Ms. Yeaple said Mr. Marshall was right. She stated she understood that a lot of staff time and resources had been put into this event; however, should the local numbers continue to spike, the Borough should reconsider holding the event.

Ms. Behring said she was not a health expert; however, everything she has heard so far would not make the LION Bash a super-spreader event. She added that Council could do their due diligence and ask the Board of Health to weigh in on the event.

Mr. Barlow said although it was an outdoor event, it was a good idea to ask the Board of Health to provide their input.

Mr. Fountaine said as outdoor events were being approved, with all the advice we have right now, outdoor events were more acceptable; however, staff could consult with the Board of Health between now and the end of August. He added that adjustments could be made to change this if it was necessary.

Ms. Lafer said staff could call off the events without Council's vote, if necessary. Mr. Fountaine said he would keep Council updated over the next few weeks.

Ms. Yeaple said she was glad Mr. Marshall raised the point because up to one quarter of the Borough's population changes over once every year. She was in favor of the event to make State College a welcoming community; however, she was concerned because the Delta variant was up to 2-3 more times more transmissible than last year. She said she did not know if outdoor concerts had been super-spreader events. She added it was a risk we were not willing to take and should possibly call it off for the sake of public health.

### **Public Hour – Hearing of Citizens**

Josh Portney, a Borough resident and Penn State student, said the University did not do a good enough job urging students to fill out the census forms. He said he had only received two emails, one from a Penn State Club and another from Penn State's Office of Student Affairs. He commented this was inadequate for a university that wanted to be represented on the national stage. He added that Penn State should have done a better job reminding students. He agreed with Mr. Myers that it was a great idea to do a recount no matter how much it costs.

Mr. Portney said he also wanted to talk about the COVID vaccine and the need for students to get the shots. He commented that there was a rally at the Allen Street gates and at the steps at Old Main. He said faculty and students were trying to apply pressure for university officials to meet with their faculty and staff to discuss COVID measure. He urged Council to do something at the government level and hoped they could get the University onboard.



Melanie Morrison, a resident of Millheim Borough, said now that Council was expected to vote on the Community Oversight Board Ordinance (COB) at the meeting, she said now was the time to look at other important areas of concern that existed outside the COB. She urged Council to consider a complete divestment of guns when serving 302 warrants. She added she also wanted to see police reform because she has seen and heard very aggressive and personalized attacks on the 3.20 Coalition members. She urged Council to continue to work on equity, racial and social justice, and a safe environment for everyone.

### Consent Item

Mr. Myers made a motion to remove Consent Items A through G for further discussion/consideration. Mr. Barlow seconded the motion.

Mr. Marshall then made a motion to approve Consent Items H through N. Mr. Barlow seconded the motion which passed unanimously.

- Accept the resignation of Alexis Burke, with regret, from the CDBG Citizens' Advisory Committee, effective immediately.
- Approve Payroll and Accounts Payable vouchers for the month ended July 31, 2021, totaling \$3,451,163.50.
- Approve minutes from the following Council meetings:

August 26, 2020	Special Meeting
January 11, 2021	Regular Meeting

- Award Project #02B(R)-2021 and the added bid alternate (Street Resurfacing) to HRI, Inc., the low bidder, in the amount of \$303,053.60, including the work under the added alternate.
- Award Project #02C(R)-2021 and the added bid alternate (Street Resurfacing) to HRI, Inc., the low bidder, in the amount of \$1,457,682.50 including the work under the added alternate.
- Appoint Kathy Yeaple as the Voting Delegate and Theresa Lafer as the Alternate Voting Delegate for the PML Resolutions Committee at this year's PML Summit being held October 7 – 9, 2021.
- Approve a resolution authorizing the Borough Manager to act as the Borough's agent in the Execution of a Contribution Agreement with the PA Department of Transportation for the Atherton Street Improvement Project.

Mr. Myers said he was concerned about the proposed block parties and other large social events planned within the next few months due to the COVID variant. While he said he did not object to any of the proposed activities, he wanted to know how to handle the events should an outbreak occur following student return, etc.

Ms. Yeaple said she was in favor of removing all Consent items A through G to further discuss them or to suspend them for the year.

Mr. Myers said the other activities should be approached like LION Bash. Administration staff should decide, with the guidance of the Board of Health, whether or not these outdoor events should occur.

Ms. Lafer said LION Bash could include a turnout of several thousand people. Perhaps some conditions should be imposed on the applicants if their special activities were approved. For example, limit the number of people attending an event, similar to what was previously imposed by the Centers for Disease Control and the PA Department of Health. She added if a size limit was imposed, each of the block parties would be allowed to occur. Ms. Lafer commented that she thought Council could approve all of

these events; however, staff should be paying attention and if the numbers locally continued to rise, the Manager could notify the applicants that their events were being cancelled.

Mr. Marshall said it the Borough needed to look at the COVID numbers when the students return to campus because that should control what the Borough did. He suggested the Manager and Board of Health continue to look at the numbers and come to a decision. He added that these events did not need to be stopped through an action of Council and noted that an administrative action could be taken closer to the date of the event(s).

Ms. Behring said if Council was not in the position to approve these private events right now, she would encourage the applicants to go forward with their planning until more information became available.

Mr. Myers made a motion to approve Consent Items A through G with the caveat that Council attach conditions approving the events but if the circumstances changed, Administration staff could change the decision if COVID circumstances warranted it. Mr. Marshall seconded the motion which passed unanimously.

- Approve, with conditions, the closure of South Fraser Street, from West College Avenue to the Fraser Street Parking Garage Entrance, for the Food Truck Fiesta on Sunday, September 5, 2021, from 4:00 p.m. to 8:00 p.m.
- Approve the closure of the 100, 200, and 300 blocks of South Allen Street for the annual LION (Living in One Neighborhood) Bash on Thursday, September 9, 2021, from 12:00 p.m. to 10:00 p.m.
- Approve the closure of Hartswick Avenue, from North Allen Street to McKee Street, for the annual Hartswick Avenue party on Sunday, September 12, 2021, from 4:00 p.m. to 6:00 p.m.
- Approve the closure of Sunset Road, from Hillcrest Avenue to Ridge Avenue, for the annual College Heights West neighborhood picnic on Sunday, September 12, 2021, from 3:00 p.m. to 10:00 p.m.
- Approve the closure of various roads for the SCASD Homecoming Parade on Thursday, September 30, 2021, from 5:30 p.m. to 9:00 p.m.
- Approve the closure of various roads for the annual PSU Homecoming Parade on Friday, October 22, 2021, from 5:00 p.m. to 9:15 p.m.
- Approve the use of various roads for the ACRES Halloween Hustle 5K on Sunday, October 31, 2021, from 10:00 a.m. to 1:00 p.m.

### **General Policy and Administration**

#### Approve the KCF Technologies, Inc. Request for Road Closure, Request for an Exception to the Open Container Ordinance and Request for a Noise Waiver

Mr. Fountaine said KCF Technologies, Inc. had applied for a Special Activity Permit to close a portion of the 100 block of South Fraser Street and use the Martin Luther King, Jr. Plaza on Sunday, September 19, 2021, from 3 p.m. to 11:00 p.m. for a private reception. As part of the application, they had also requested an open container exception and noise waiver for this location.

This event, which will run from 6:00 p.m. to 10:00 p.m., was described as a private reception with up to 300 attendees. He noted that the applicant had planned for music by a DJ. He added that the applicant would be renting large tents to cover the event and planned to enclose the area with fencing-like material.

Mr. Fountaine stated that in August 2017, Borough Council adopted Special Events Ordinance 2098 that provided Borough Council the authority to grant an open container ordinance waiver under certain

circumstances. Two requirements for an open container ordinance waiver approval included that the event must be sponsored or co-sponsored by the Downtown State College Improvement District (DSCID), and the location of the event must be within the downtown boundaries established by Ordinance 2098.

This event is being co-sponsored by the DSCID contingent on the following:

- KCF Technologies, Inc.'s satisfactory completion of all requirements set forth by the Borough of State College.
- DSCID named as additional insured on General & Liquor Liability policy of no less than \$1,000,000 per occurrence limit. This coverage should be on a primary and non-contributory basis.
- KCF Technologies, Inc. will indemnify the DSCID, signing an indemnification agreement.

The road closure and Open Container Waiver request was on the 100 block of South Fraser Street, between Calder Way and just South of the entrance/exit to Fraser Street garage, which is within the downtown boundaries established by Ordinance 2098.

In addition to these two ordinance requirements, the applicant had also agreed to meet the other requirements listed in Ordinance 2098.

Mr. Fountaine said staff recommended the Open Container waiver application be approved with the following conditions:

- Applicant provides RAMP certificates of the Happy Valley Co. employees serving alcohol at the event by Tuesday, September 7, 2021.
- Applicant meets and adheres to all other requirements listed in Ordinance 2098.
- Applicant provides Building Permit, for tenting, from the Centre Region Code Administration by Tuesday, September 7, 2021.
- Applicant agrees to reimburse the Borough for costs associated with Public Works Services, estimated at \$1,470.56.
- The Borough will provide refuse clusters with extra bags for the event. It will be the HOST's responsibility to monitor them throughout the event. Should the clusters fill up, the refuse and/or recycling shall be taken to the Fraser Street parking garage refuse/recycling area for disposal. Water barriers will be used on both ends of Fraser Street for the closure.

Ms. Lafer made a motion to approve; however, she expressed concerns should the spikes in COVID continue to rise. She questioned the size of the event and whether or not the attendees were vaccinated. She asked that a condition be set should the Board of Health see a spike in the number of cases in the region, that events, such as this one, be cancelled. She said she understood the costs involved; however, the concern was real and needed to be addressed. Mr. Barlow second the motion.

Mr. Myers said that KCF was a great partner in the community and the Borough should feel fortunate to have them here because their commitment to downtown was very strong. He suggested that since this was a costly event for KCF, that perhaps the final decision on whether or not to cancel these types of events should be left up to Administration staff and not the Board of Health.

Mr. Marshall agreed and said the same conditions should be placed on this event as was posed on the other special activities.

The motion to conditionally approve the KCF Technologies, Inc. reception event, granting both an open container ordinance and noise control ordinance waiver with conditions passed unanimously.

#### Approve American Rescue Plan Act (ARPA) Funding Allocations

Mr. Fountaine said earlier this year, Congress approved the American Rescue Plan Act. This Act provided direct appropriations to local government in support of COVID-19 recovery. Staff provided a report and an outline of proposed funding allocations to Council earlier this year. Recently, Staff had provided Council with an update on ARPA based on the interim rules issued by the U.S. Treasury on the use and reporting for these funds. The Treasury was continuing work from a temporary rule but has provided additional guidance on the use ARPA fund.

On Monday, August 9, Finance Director, Dwight Miller, presented a revised proposal for the use of the ARPA funds Borough would receive \$13.2 million. The first disbursement of these funds was received by the Borough in May 2021, and the second disbursement will be received in May 2022. At the August 9 work session, Staff recommended that the ARPA Funds be allocated and authorized as follows:

- \$6 million to fund reduced revenue in 2020 and 2021 due to COVID-19
- \$4.8 million to fund infrastructure projects in the Capital Improvement Plan
- \$200,000 for rent/mortgage/utility assistance for those over 80% Area Median Income (AMI).
- \$300,000 for non-congregate shelter
- \$400,000 for pandemic response housing at Borough-owned multi-tenant facility and a one-family house
- \$1.5 million for small business and non-profit economic recovery and economic development grants/loans.

Mr. Marshall made a motion authoring the use of the ARPA funds as outlined by staff. Ms. Lafer seconded the motion which passed unanimously.

#### Proposed Temporary Exception to Chapter IX, Part I, Section 908 a. through d of the Mobile Retail Food License in the State College Codification of Ordinances

Mr. Fountaine said Borough staff recently received a request from a downtown food facility, specifically The Corner Room, requesting to a temporary exception to the prohibition of mobile food peddlers from occupying a stationary location on any public street and right-of-way, including any metered space, or loading zone.

He explained that the reason for the request was The Corner Room was having substantial staffing challenges at the business and to address the staff shortages, the business would close the business kitchen two (2) days each week (Monday and Tuesday) to allow the existing staff to have days off. He added the Corner Room kitchen also prepared the food for Bill Pickles, and with the kitchen closed, those patronizing Bill Pickles would not have access to food, which was required by the PA Liquor Control Board.

Mr. Fountaine said to address this, the owners of The Corner Room were requesting that, on a temporary basis, they be permitted to contract with a "food truck" vendor to provide food for patrons of Bill Pickles. The request was for the food truck to be permitted to park in the loading zone on the west side of the 100 block of South Allen Street just north of Calder Way each Tuesday from 5:30 p.m. to 10:00 p.m. beginning August 24, 2021.

Mr. Fountaine explained that the business requesting the temporary exception had contacted the Downtown Improvement District Director who supported the food truck request as long the authorization was on a temporary basis, authorization was limited to one day a week, and there were no contracts for this to occur for an extended time period.

Mr. Fountaine explained to Council that staff was recommending approval with the following conditions:

- a. Limited to the Commercial District;
- b. Limited to loading zones and only between 5:00 p.m. and 11:00 p.m.;
- c. Limited to requests from Borough licensed food facilities;
- d. Limited to one day per week for any licensed food facility;
- e. Exception is on a trial basis and the Borough reserved the right to revoke the approved exception at any time without advance notice; and
- f. The exception shall only be permitted between Monday, August 23, 2021, and Sunday, October 31, 2021.

Ms. Lafer made a motion to reject this request. The motion failed due to the lack of a second.

Mr. Barlow then made a motion to approve staff's recommendation. Ms. Behring seconded the motion.

Ms. Engeman asked specifically where the food truck was going to be located. Was it being placed above or below the Bill Pickle's sidewalk extension for outdoor seating? Mr. Fountaine responded that it would be below it in the loading zone.

Ms. Lafer said she had some real problems with this request. She noted that online this week there was a growing list of people who were unhappy with the walkway around Bill Pickle's, most of which were uniformly negative. She said the establishment could not force people to get up walk out the door and come back into the restaurant with their food. She said she envisioned a line of people from Bill Pickle's standing there while food was being prepared. She said this was not ideal and it was not going to go smoothly, and it was unlikely going to be safe. She noted that if they were unable to find a dozen servers for those evenings, she said they were not trying hard enough.

Mr. Marshall said Ms. Lafer made some good points. He said assuming the majority of Council were in favor of the request, he suggested obtaining written authorization from the PLCB. He said that should be imposed as a condition should the request receive Council's approval.

Ms. Yeaple commented that she was in favor of supporting small businesses. She added that she was aware of the current staffing shortage many local establishments were experiencing.

Mr. Myers questioned the legality of people leaving the place of business and carrying food back into the establishment and sitting back down. Mr. Williams explained that a patron would not be permitted to walk outside the establishment with their alcoholic beverage. Liquor must be consumed onsite, and the Open Container Ordinance governed it. Mr. Myers said if the PLCB was okay with this request, it should be made a part of this request and set as a condition.

Mr. Filippelli said an establishment must sell a certain amount of food to hold a liquor license. Mr. Williams agreed that was correct.

Ms. Engeman asked if the people who were going out to get the food for the patrons were from both Bill Pickle's and The Corner Room. Mr. Fountaine said it was the staff from The Corner Room who would be going down to the truck to get the food. Mr. Fountaine added that both The Corner Room and the Allen Street Grill would be closed.

Mr. Barlow said to clarify that the food truck was providing food for patrons of Bill Pickles and was not there for patrons of the other restaurants.

Mr. Marshall asked if there was a temporary exception. Mr. Fountaine said yes there was, which was why Council was being asked to grant an exception to the ordinance. Mr. Williams added that there needed to be that kind of flexibility in order to have the Arts Festival every year.

Ms. Lafer asked why only Bill Pickles patrons can get their food from the food truck. She commented that she believed in small business and anyone walking by should be able to order food from the truck. She said this worked great for this one business; however, it was a bad idea for the Borough, and it would make a real mess on the street.

Mr. Fountaine explained that the food truck would not be exclusive to customers of only Bill Pickles. A different food truck would be located on the 100 block of South Allen Street between the hours of 5 p.m. to 10:30 p.m. He said another small business and/or a different restaurant could ask for the same exception. He added that the Borough's goal was to assist a business to continue to operate during a few weeks in the fall.

Mr. Myers said he was not insensitive to what everyone said, however, this could become a problem. He said the Manager made a valid and important point about small businesses. Because of COVID, Council needed to be flexible and understanding to small businesses. Many of these businesses experienced rent or abatement of eviction during COVID and many need our help.

The motion passed 5-2 with Mr. Marshall and Ms. Lafer voting against the motion.

#### Consider Revoking the Previously Approved Noise Waiver at 403 Locust Lane

Mr. Fountaine said at the July 12, 2021, Council meeting, as part of the consent agenda, Council approved a noise waiver for 403 Locust Lane for an event scheduled for September 17, 2021, from 7:00 p.m. to 10:00 p.m. The applicant was the Phi Kappa Psi fraternity who was holding an event inside the fenced in portion of their property. During the application process, the fraternity representative Andrew Eisel represented that the event would be featuring an international violinist.

Mr. King said since Council's approval, it has been brought to staff's attention that the housing corporation, who owns the fraternity house, has expressed concerns to the active fraternity leadership about this event and did not "sign off" on the applicant's request for the noise waiver in which the application for this noise waiver indicated the event is expected to have 600 persons attend. Additionally, staff had learned the international violinist was very popular disc jockey (DJ) from France and featured Electro House music. Staff believes the type of music this DJ plays will very likely generate noise complaints in this residential neighborhood.

He added that based on the additional information, Staff had learned that (1) the applicant's housing corporation did not sign off on the noise waiver request, (2) the performers music genre and his popularity could draw many persons, not just to the fenced in area of the fraternity property, but outside along the neighborhood sidewalks, street, and other properties. Staff recommends that the noise waiver approval be revoked.

Mr. Marshall made a motion to not revoke the noise waiver for the event scheduled to be held at 403 Locust Lane on September 17, 2021. Ms. Lafer seconded the motion which passed unanimously.

Ms. Lafer said if the fraternity had a fenced-in area, the yard could not accommodate the hundreds of people expected. She commented that she was not certain why Council approved this in the first place. With the property owner saying they did not want the event to occur on their property, she said Council should follow staff's recommendation and remove the noise waiver for the event.

Mr. Fountaine pointed out that Council approved the noise waiver but were not asked to approve the event. He said staff was not asking Council to revoke permission to hold the event. He added that the fraternity was governed by the IFC regulations, which limited the size of the crowd to a maximum of 125

people. He noted that in going back at the staff level review, the application did not mislead anyone because the expected crowd size was listed as 300 people. The property owner's contention was they were never consulted, nor did they sign off on the application for the noise waiver for the event.

Mr. Andrew Eisel, the applicant for the noise waiver, said it was not his fault that the artist he said was performing was very popular and could easily draw a large crowd. He commented that since the noise waiver was approved over a month ago, he had made great strides in organizing to make certain the event was in compliance with the noise waiver, IFC, etc. Mr. Eisel said he did not believe the fraternity should be held financially responsible for Council/staff's mistake. He said he purposely applied for the noise waiver to have some protection from the noise ordinance. He said he also wanted the Borough on their side so there were no problems. He added that he was consulting with the property owner to make certain the event complied with any guidelines they established.

Mr. Barlow said if the IFC is limiting the event to 125 people why are there 600 people listed on the application if they cannot accommodate 600 people on their property.

Mr. King said the reason for staff's recommendation was because the property owner was not consulted, and they did not sign off on the request. If they had, staff would not be recommending the revocation.

Mr. Myers said he was confused for a number of different reasons. This event was previously approved and asked on what basis did Council approve this event. He asked if the application was correct or if the applicant had misrepresented something on the form.

Mr. Fountaine said the number one issue that came to mind was the noise decibel from a violin or a DJ were not relevant. In the event the music was too loud, the event organizer would receive a warning before the event was closed down. He noted there had been noise waivers at events held in the past and the events still had to be closed down.

Ms. Yeaple did not agree with changing the rules midstream and said she would be voting against staff's recommendation to revoke the noise waiver.

Council voted unanimously against staff's recommendation to revoke the noise waiver.

#### **Public Works – No Business**

#### **Parking – No Business**

#### **Public Safety – No Business**

#### **Diversity, Equity, and Inclusion**

##### Approve the Organizational Chart and Authorize the Department of Equity and Inclusion

Mr. Fountaine said, at the Council Work Session held on August 9, 2021, the Borough Manager presented the organizational chart for the establishment of a new Borough Department of Equity and Inclusion. This Department would be headed by the Director of Equity and Inclusion and would be charged with the coordination and guiding efforts to assess and expand equity and inclusion in the Borough of State College. The Department would be charged to develop and oversee programs, services, initiatives, trainings, and strategies that seek to enhance the workplace culture and the quality of life in the Borough of State College.

Council was asked to approve the organizational chart to add the Department of Equity and Inclusion and authorize the position of Director of Equity and Inclusion as the Department Head.

Mr. Myers made a motion to approve staff's recommendation. Mr. Barlow seconded the motion.

Mr. Barlow said this was a long time coming and was overdue.

Ms. Behring said this work goes back to when Resolution 1258 was adopted in June 2020.

Council voted unanimously in favor of the motion.

Consider Enacting an Ordinance to Establish a Community Oversight Board (COB) for the Borough of State College Police Department

Mr. Fountaine said Council had established an Ad Hoc COB Study Committee in July 2020 to research, analyze, and recommend options for a Community Oversight Board, and since that time staff had drafted an ordinance that best suited the needs of the State College Borough.

Mr. Fountaine provided background information, which included that the COB Study Committee had presented their report to Council in December 2020. Between January 2021 and August 9, 2021, Council held eight (8) work sessions to review and discuss the Committee's recommendations. Council also heard from and had discussions with Study Committee Chair Mark Bergstrom and the Borough's labor counsel. Council met with its labor counsel in an Executive Session to discuss legal issues related to the Oversight Board. Council also held two (2) special meetings to receive public input on the draft COB Ordinance.

Mr. Fountaine noted that at Council's work session held on August 9, 2021, staff provided an overview of the common themes raised during the two public input meetings and provided responses to those themes. Council discussed the information provided and advised staff to move the draft ordinance forward for a vote at their August 16, 2021. Staff advised Council that the final step that would be taken prior to a vote on the ordinance on August 16, 2021, is a final review of the final version of the COB ordinance with the Borough's labor attorney.

Mr. Fountaine explained that staff reviewed the final version of the ordinance with the labor attorney. Based on this review, minor modifications were made to ensure that all the work of the COB was done within the limits established by law. While the ordinance does include a section on Limitations (Section 8. g.), the additional language was recommended by the labor attorney. Other minor modifications for document organizational or clarification purposes include the following:

- Reordered Section 1 and Section 2. Section 1 is now Definitions and Section 2 is now Establishment of Community Oversight Board for the Borough of State College Police Department.
- Added to the definition section for the definition of Closed Cases.
- Added a sentence to Section 4. a. to clarify that as set forth in Section 8.a. of the COB ordinance, complaints received through the Civilian Complaint Process that involve alleged officer misconduct shall be referred to the Department for investigation through the Department's Internal Affairs process.
- Added a phrase clarifying that for the duties and responsibilities listed in Section 9. a., the Board Coordinator shall make recommendations to and subject to Board approval.
- Added two recitals in the preamble to cite the Ad Hoc Committee's report for further reference and clarification.

Ms. Lafer made a motion to enact the proposed ordinance with a minor modification to Section 7.b. (Board Training Requirements) to read as follows: "Initial Training – within one year of initial appointment, racial, policing, constitutional law, labor law, or any other training approved by the Board from time to time." Mr. Barlow seconded her motion.

Ms. Lafer said the reasons for her amendment was that social needs and other specific needs may change from 2021 to 2024. She said while in theory the proposed ordinance looked good today, things might go wrong or might shift, and today's language would no longer be applicable.

For example, Ms. Lafer said she found ride-a-longs to be very instructive; however, they may not be needed within the first year or so of training.



Mr. Barlow said he liked the ordinance as it stood. He commented that all of the items listed in the initial training were things the COB members should know about such as Civil Rights Law, Use of Force law, constitutional amendment and Critical Race Theory. He added to better understand the effects of systemic racism in today's society, he said COB members should know about departmental policies. He commented that laying out the specifics was necessary. He stated that Critical Race Theory was not the cartoon we have heard and seen on television. He said people on this COB need to be aware of all of these things, and the ordinance is fine as it is.

Ms. Engeman agreed with Mr. Barlow. She said Critical Race Theory was very specific and she thought it was important for the COB members to learn about the history of racism and was something less specific.

Ms. Behring said while she understood the spirit of bringing the amendment forward, the ordinance was something she saw evolving and what was in the ordinance was balanced and specific enough to provide some framework and guidance. She added by changing the initial training, the ordinance would lose some of its teeth for preparing the COB for success.

Mr. Myers said he agreed with Mr. Barlow and what Ms. Behring mentioned.

Mr. Barlow said at one of the public hearings, he heard someone opposed the COB. He said he personally observed racism in Alabama and Mississippi. He commented that Dr. Martin Luther King, Jr. described those two dates in his "I Have a Dream" speech. He questioned if Council should use the 1960's as our standard today. He said Council should not be setting the bar too low. He added that the COB members needed to know about institutional racism.

He said people were engrained in the institutions in our society and it was important for people who were enforcing the laws to understand those things. He added that was part of the fabric of who we were and that these kinds of things happen in our society.

Ms. Lafer said she planned to vote against her own motion but noted it was time for Council to vote on the ordinance. She noted Council would have the opportunity to choose the men and women who would serve on the COB. Those members would be trained to do the job Council was asking them to do.

Ms. Yeaple said Council would be appointing people who wanted to serve on the COB. She hoped everyone appointed had an open mind. She added that the training outlined in the COB ordinance was necessary and needed to be looked at very closely.

Mr. Myers called for a point of order. He questioned what Council was being asked to vote on. Mr. Fountaine said Council was being asked to vote on the motion presented by Ms. Lafer, which included changing the wording in Section 7.b for the initial training. If her motion failed, Council would be asked to vote on the original motion.

Mr. Filippelli said he did not think Council's discussion was about critical race theory. He commented he did not agree with it. He said he had a PhD in Labor History and American History and had written four books about his vision of American History; however, he said professionals do not agree about the causes of the Civil War. He said if the COB ordinance was adopted, Council would be writing law. He suggested that the ordinance should say "everyone must understand the history of racism, in American history." He stated that Council should not put in a theory of history and imbed it into law. He commented that he agreed with Ms. Lafer's amendment. He said he had already been called a racist. He added that by putting a contested theory into law was putting the Borough and Council in dangerous territory. He added that it was very difficult ethically to accept that kind of wording in the ordinance.

Council voted on Ms. Lafer's amendment, and the motion failed 1-6. Next, Mr. Myers made a motion to approve the COB ordinance as written. Ms. Behring seconded the motion and Council did a roll call vote on the ordinance as written, which passed unanimously.

## **Regional Issue – No Business**

### **Official Reports and Correspondence**

Mayor's Report – Mayor Filippelli said he issued a proclamation last week in honor of David Taylor, who was a Penn State and National Wrestling Champion who recently won a gold medal in Tokyo, Japan. He said Mr. Taylor recently opened a wrestling gym in Pleasant Gap.

Mayor Filippelli also mentioned that he had attended the 50<sup>th</sup> Anniversary of Meals on Wheels, which ran on thousands of volunteers. He commented what a remarkable agency we had in the Centre Region. He urged residents to consider volunteering with Meals on Wheels or one that contributed to them. He said they had delivered over 1.5 million meals to vulnerable people. He added that he recently learned they were also delivering pet food to residents who had pets and needed assistance.

President's Report – Mr. Barlow reported that Council met in an Executive Session prior to this meeting and discussed legal and personnel matters.

President Barlow said there were a lot of Penn State faculty who were resisting Penn State's policy on vaccinations. He said he and many other professors were doing their first lectures via Zoom.

### Regional Liaisons Reports

Mayor Filippelli pointed out that the COG Regional Liaison reports were included with Council's agenda packet.

### Staff/Committee Reports

Mr. Fountaine noted that the Year-to-Date Financial Report was included in the agenda packet and Finance Director, Dwight Miller, was available to answer any questions Council Members had regarding the report.

Mr. Myers pointed out that there was a Complete Count Committee that was formed in Centre County in 2019. The Borough, Centre County Government, Bellefonte Borough and Penn State worked together on the 2020 Census. He noted there were several substantial undercounts in key precincts. He said it was anticipated that the final numbers would be lower; however, there was concern expressed the low counts and what that meant locally in terms of funding, etc. The Committee had been discussing asking the U.S. Census Bureau to do a recount since many of our residents were students. He said he anticipated hearing more about the report in the coming weeks and months. Mr. Myers asked what the timeframe was to address the undercounts in the 2020 Census. Mr. Fountaine said he would be in touch with the U.S. Census Bureau as soon as he had more information.

Mr. Fountaine said staff had put together a COVID-19 State College Summary that outlined the various things the State College Borough had led or had been a partner in.

Mr. Fountaine reported that staff had begun working with the Board of Health, the Centers for Disease Control, the PA Public Health Officer and the PA Department of Health, as well as staff from the Centre County as part of a Town/Gown Taskforce to look into a Local 315 Health Department. He said staff would prepare a report and that information would be shared with Council at a future meeting. In addition, staff would also be providing a more in-depth report on the Borough's overall COVID-19 response since the pandemic began, messaging around masking, vacations and social gatherings.

Mr. Fountaine said in terms of Community Conversations, there were Race, Equity and Leadership Program events scheduled this fall, and one on Racial Equity and Social Justice would be held on September 29 and another one would be held in late November or early December.

Mr. Marshall said he wanted to congratulate the Manager and Borough staff throughout a very difficult time regarding the COVID pandemic. He commented that the communication provided with Council and the public had been outstanding and it should be celebrated.

Student Representative Reports

SCASD – Ms. Theiss said she did not have a full report to give; however, school starts on Tuesday, August 24, and she added she was excited to be going back to school in person.

UPUA – No Report

GPSA – No Report

**Adjournment**

Mr. Marshall made a motion to adjourn the meeting at 9:44 p.m. Ms. Engeman seconded the motion and the meeting adjourned at 9:44 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary

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**State College Borough Council  
Summary Information for the Award of Bid**

**Project Number:** 08-2021  
**Project Name:** State College Municipal Building Brick Replacement Project  
**Date Prepared:** September 9, 2021  
**Prepared By:** Andy Arnold, P.E., Interim Borough Engineer  
**Proposed Meeting Date:** September 13, 2021  
**Deadline for Action:** September 13, 2021

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1. **Time/Date of Bid Opening:** 11:00 AM on Thursday, September 9, 2021
2. **Project Description:** This project consists of demolition and removal of existing brick pavers, subbase, stairs and handrail and placement of new subbase, stamped concrete and handrail at the main entrance of the Municipal Building at the sidewalk on S. Allen Street and at the sidewalk on E. Foster Avenue. The accessible curb ramp at the corner of S. Allen Street and E. Foster Avenue is also to be replaced.
3. **Advertisement for Bids:** Advertised on August 19, 2021 and August 22, 2021 in the Centre Daily Times in accordance with the Purchasing Ordinance
4. **Number of Bid Packages Released:** 4
5. **Engineer's Cost Estimate:** \$300,000
6. **Amount Budgeted/Funding Sources for Project:** Funds for this project were budgeted in B130-20-7200-0000-000-9370-BD015
7. **Bids Received:**

<b>Bidder</b>	<b>Amount</b>
a. Steel Nation Environmental, Inc. 100 Southpointe Square Lane, Canonsburg	Base Bid: \$268,321.45
a. Mid-State Construction, Inc. 260 Brush Mountain Road, Altoona	Base Bid: \$279,800.00
8. **Anticipated Notice to Proceed:** October 4, 2021
9. **Contract Construction Time:** 60 calendar days
10. **Anticipated Completion Date:** December 4, 2021
11. **Other Background Information:** The purpose of the project is to address existing drainage, tripping hazards and future ADA issues caused by the inconsistent settlement and upward movement over time of the brick pavers placed during initial construction of the Municipal Building.
12. **ABC Review and Comments:** None required at this point
13. **Solicitor Comments:** None required at this point
14. **Staff Recommendation and Reason:** The Public Works staff recommends that the project be awarded to Steel Nation Environmental, Inc. Budget authority and funding is available in the B130-20-7200-0000-000-9370-BD015 account.

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RESOLUTION \_\_\_\_

DESTRUCTION OF SPECIFIC RECORDS

WHEREAS, By Virtue of Resolution 706, as adopted on the 6<sup>th</sup> day of December, 1993, the Borough of State College declared its intent to follow the procedures for the disposition of records, as set forth in the Municipal Records Manual, approved by the Pennsylvania Historical & Museum Commission, Division of Archival and Records Management Services, on July 16, 1993; and,

WHEREAS, In accordance with Act 428 of 1968 (the enabling legislation which governs the disposition of records in the State of Pennsylvania; as may be amended from time to time, each individual act of disposition shall be approved by Resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of State College, in accordance with the above-cited schedule, hereby authorizes the disposition of those public records, which are separately listed and hereby made a part of this Resolution.

RESOLVED the \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

BOROUGH OF STATE COLLEGE:

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Sharon K. Ergler  
Assistant Borough Secretary

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Jesse L. Barlow  
President of Council

## 2021 ADMINISTRATION RECORDS DESTRUCTION ORDER

DEPARTMENT	RECORD TITLE/DESCRIPTION	DATE(S)
Administration	Legal Ad Confirmations	1990 - 2010



**2021  
LIST OF SPECIFIED RECORDS  
TO BE DESTROYED**

Department		Record Title	Date	# of Boxes
Finance		Vouchers	2012	13
		Cash Receipts	2012 & 2013	25
		Vouchers	2020	5
		Refuse Payments	2012 & 2013	5
		Refuse Maintenance	2012 & 2013	1
		TRD's and Arts Festival	2013 & 2013	2
		Cash Receipt Journals	2011 & 2012	1
		Select for Cash Payments	2011 & 2012	2
		Special Assessments, Posted Transactions and Refuse Reconciliations	2011 & 2012	1
		Invoices, Real Estate Reports	2012 & 2013	1
		Refuse Cash Receipts & Adjustments	2013	2
		Refuse Penalty Registers	2012 & 2013	1
		Refuse Cash Receipts, Adjustments & Maint.	2012	2
	↓	Journal Entries	2012 & 2013	3
		Bank Statements	2010	1
		Bank Statements	2012 & 2013	2
		<b>TOTAL BOXES</b>		<b>67</b>

## LIST OF SPECIFIC RECORDS TO BE DESTROYED (2020)

DEPARTMENT	RECORDS TITLE	DATE	# OF BOXES
Police	Incident, Cases*, Property & Accident, Dispositions	1998	45
Police	Incident, Cases*, Property & Accident, Dispositions	1999	40
Police	Officer Citation Log Sheets	2000 - 2020	1
Police	Officer Shift Reports and Daily Reports	2011 - 2017	27
Police	Faulty Equipment/Patrol Cards/Key Waivers	2011 - 2017	7
Police	Old Duty Schedules	1972-2001	1
Police	Monthly Statistics Report - Townships	1996-2000	1
Police	Records Check - No Records Given	2014-2017	4
Police	Old Duty Schedules	2002-2006	1
Police	Old Hot Sheets	1967-1971	1
VCICM	Incident Reports/protection orders/data	2012-2015	10
	TOTAL OF BOXES		93

\*Excluding those involving 1. -Homicides, 2. -Suspicious Deaths, or 3. - Uncleared Missing Persons

Date Submitted  
To Borough Secretary



Date of Submission: 8/5/2021

**Application for Use of Public Property  
(Processions, Assemblages and Special Activities Form)**

Name of Responsible Sponsor: Downtown State College Improvement District  
Address of Sponsor: 127 S. Fraser Street Phone: 814-238-7004  
State College PA 16801 Cell: 814-360-3744  
E-mail address: downtown@downtownstatecollege.com Fax: \_\_\_\_\_  
Other Contacts: (Primary) Lee Anne Jeffries Phone: \_\_\_\_\_  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: 11/14/21 From: 3:00 pm To: 6:00 pm  
Rain Date: (If applicable) NA From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Assemblage No. Expected to Participate: \_\_\_\_\_

**ACTIVITY DETAIL**

Describe your proposed activity in detail: (Add additional sheets, if needed)

Military Appreciation event. Assemblage, Military displays,  
Vehicles, resource fair ending with a light show  
at dusk.

Does your activity require a street closure for this activity? ☐ No ☒ Yes

If yes, select the type of road to be closed: (For more information see map and list provided)

☐ State Road(s) Only\* (Additional Permit Required: PennDOT TE-300 Form)

☒ Local Road(s) Only

☐ State Road(s) and Local Road(s)\* (Additional Permit Required: PennDOT TE-300 Form)

Listed in order of route, what street(s) would you like closed for this activity? (Add additional sheets, if needed)

Calder Way, between Pugh & Fraser

How long will the street closure be in effect? From: 11/14/21 To: 1:00pm - 7:00pm

Will you need barricades and/or signs? ☐ No ☒ Yes

Will you need assistance closing the street? ☐ No ☒ Yes

Are you planning to use sidewalks only? ☒ No ☐ Yes

Will you cross any state roads? ☒ No ☐ Yes (If yes, submit TE-300 Form)

**PLEASE NOTE: Sponsor is held responsible for the replacement value and/or repairs of missing cones, barricades, signs or message boards that are needed/required to close a street.**

\*Event organizers will be required to produce a copy of the PennDOT permit to State College Police Department representatives prior to the event. Failure to do so will prevent the police department from lawfully closing the affected street(s) and the event will not be permitted to take place.

Date of Submission: 8/5/2021

### USE OF OTHER PROPERTY

If this event includes the use of a municipal park, please contact Centre Region Parks and Recreation by phone at (814) 231-3071 or by e-mail at [crpr@crcoq.net](mailto:crpr@crcoq.net) prior to submission of this form. Special park permits and conditions may also apply.

If any part of this activity is to take place on other public property, state road, on campus or on private property an official of the other government agency, university or property owner must sign here:

Name: (Print) \_\_\_\_\_ Title of Official: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

**CHARITABLE CAUSE:** Is the Sponsor a non-profit organization?

☐ Yes ☐ No

If this activity is to benefit a charitable organization, name the recipient:

**HEALTH CONSIDERATIONS:** Will you be providing food or drink to the public? ☐ Yes ☐ No

If yes, have you made arrangements for approval/inspections with the Department of Ordinance Enforcement and Public Health?

☐ Yes ☐ No

If no, please complete the form that is attached to this application and obtain approval, prior to submission.

Applicant recognizes and AGREES that the Borough requires the proposed activity to be conducted in such a manner as to promote harmony in the area, insure domestic tranquility and be within the limits established by existing ordinances. By signature below, applicant AGREES to protect, defend, indemnify and hold the Borough of State College and its officers, employees and agents free and harmless from and against any and all losses penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this special activity. Applicant further AGREES to investigate, handle, respond to, provide defense for, and defend any such claims, etc., at applicant's sole expense and AGREES to bear all other costs expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature: \_\_\_\_\_ Date: 6/30/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief	<u>JG</u>	<u>8/11</u>	Public Works Director	<u>EB</u>	<u>8/11</u>	Risk Manager	<u>EH</u>	<u>8/13</u>
Parking Manager	<u>TB</u>	<u>8/11</u>	Planning Director	<u>EL</u>	<u>8/11</u>	Health Director	<u>BO</u>	<u>8/11</u>
						Borough Manager	<u>Y</u>	<u>8/15</u>

### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: \_\_\_\_\_

Conditions (if any) are as follows: - List of Food vendors is provided two weeks prior to event. - updated COI

Any change in this application, whether approved at all levels or not, must be resubmitted and routed through the same channels as if it were a new application.

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Military Appreciation Event
Event Date:	November 14, 2021 (Sunday)
Streets:	Colder Way - between Fraser & Pugh
Hours of planned use/closure:	1:00 - 7:00 pm

Sincerely,

Signature of Event Organizer/Responsible Individual

[illegible]

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8/4/21

Date of Submission: 07/20/2021

**Application for Use of Public Property  
(Processions, Assemblages and Special Activities Form)**

Name of Responsible Sponsor: Roar for More, Susquehanna Service Dogs  
Address of Sponsor: 653 Mulberry Lane, Box 311 Phone: 814-861-1332  
Lemont, PA 16851 Cell: 814-321-5574  
E-mail address: susan@psu.edu Fax: \_\_\_\_\_  
Other Contacts: (Primary) Susan Lechtanski Phone: \_\_\_\_\_  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: October 22, 2021 From: 10:00 a.m. To: 4:00 p.m.  
Rain Date: (If applicable) \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Special Activity No. Expected to Participate: ~ 10 staff with foot traffic

**ACTIVITY DETAIL**

Describe your proposed activity in detail: (Add additional sheets, if needed)

Education and promotion of Susquehanna Service Dogs at the First National Bank + Raffle  
located at 366 East College Avenue, State College, PA 16801 (annual event) + asking for donation

Does your activity require a street closure for this activity? ☒ No ☐ Yes

If yes, select the type of road to be closed: (For more information see map and list provided)

- ☐ State Road(s) Only\* (Additional Permit Required: PennDOT TE-300 Form)  
☐ Local Road(s) Only  
☐ State Road(s) and Local Road(s)\* (Additional Permit Required: PennDOT TE-300 Form)

Listed in order of route, what street(s) would you like closed for this activity? (Add additional sheets, if needed)

How long will the street closure be in effect? From: \_\_\_\_\_ To: \_\_\_\_\_

Will you need barricades and/or signs? ☒ No ☐ Yes

Will you need assistance closing the street? ☒ No ☐ Yes

Are you planning to use sidewalks only? ☐ No ☒ Yes

Will you cross any state roads? ☒ No ☐ Yes (If yes, submit TE-300 Form)

**PLEASE NOTE: Sponsor is held responsible for the replacement value and/or repairs of missing cones, barricades, signs or message boards that are needed/required to close a street.**

\*Event organizers will be required to produce a copy of the PennDOT permit to State College Police Department representatives prior to the event. Failure to do so will prevent the police department from lawfully closing the affected street(s) and the event will not be permitted to take place.



8/4/21  
Date of Submission: ~~07/20/2021~~

### USE OF OTHER PROPERTY

If this event includes the use of a municipal park, please contact Centre Region Parks and Recreation by phone at (814) 231-3071 or by e-mail at [crpr@crcog.net](mailto:crpr@crcog.net) prior to submission of this form. Special park permits and conditions may also apply.

If any part of this activity is to take place on other public property, state road, on campus or on private property an official of the other government agency, university or property owner must sign here:

Name: (Print) Meredith Pritchard, First National Bank Title of Official: Senior Banking Consultant  
Address: 366 East College Avenue, State College, PA Phone: (814) 644-3432  
Signature: Meredith Pritchard Date: 07/20/2021

**CHARITABLE CAUSE:** Is the Sponsor a non-profit organization?

☒ Yes ☐ No

If this activity is to benefit a charitable organization, name the recipient:

Roar for More, Susquehanna Service Dogs at Penn State

**HEALTH CONSIDERATIONS:** Will you be providing food or drink to the public? ☐ Yes ☒ No

If yes, have you made arrangements for approval/inspections with the Department of Ordinance Enforcement and Public Health?

☐ Yes ☐ No

If no, please complete the form that is attached to this application and obtain approval, prior to submission.

Applicant recognizes and AGREES that the Borough requires the proposed activity to be conducted in such a manner as to promote harmony in the area, insure domestic tranquility and be within the limits established by existing ordinances. By signature below, applicant AGREES to protect, defend, indemnify and hold the Borough of State College and its officers, employees and agents free and harmless from and against any and all losses penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this special activity. Applicant further AGREES to investigate, handle, respond to, provide defense for, and defend any such claims, etc., at applicant's sole expense and AGREES to bear all other costs expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature: Susan Lechtanski

Date: August 04, 2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief

JG

8/14

Public Works Director

EB

8/13

Risk Manager

EL

8/13

Parking Manager

EH

8/13

Planning Director

EL

8/17

Borough Manager

BO

8/13

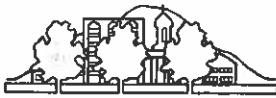
### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: \_\_\_\_\_

Conditions (if any) are as follows: \_\_\_\_\_

*Any change in this application, whether approved at all levels or not, must be resubmitted and routed through the same channels as if it were a new application.*





STATE COLLEGE, PA

Date of Submission: \_\_\_\_\_

**Application for Use of Public Property  
(Processions, Assemblages and Special Activities Form)**

Name of Responsible Sponsor: Adianez Martinez dba Juana's

Address of Sponsor: 129 S Fraser St Phone: 814-996-4906  
Stae College, PA 16801 Cell: 814-232-6274

E-mail address: juana@juanascuisine.com Fax: \_\_\_\_\_

Other Contacts: (Primary) Hugo Romero Phone: 814-232-4864  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_

Date of Activity: 10/09/2021 From: 11:00 AM To: 6:00 PM

Rain Date: (If applicable) \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

Type of Activity: Assemblage No. Expected to Participate: 2000

**ACTIVITY DETAIL**

Describe your proposed activity in detail: (Add additional sheets, if needed)

The annual Happy Valley Latino Festival is a free, family-friendly event celebrating family, community and our Hispanic heritage with children's activities, live music, food, fashion, art and crafts, dance, and much more from the heart of Latin America.

Does your activity require a street closure for this activity? ☐ No ☒ Yes ~~REQUIRED~~

If yes, select the type of road to be closed: (For more information see map and list provided)

- ☐ State Road(s) Only\* (Additional Permit Required: PennDOT TE-300 Form)
- ☒ Local Road(s) Only
- ☐ State Road(s) and Local Road(s)\* (Additional Permit Required: PennDOT TE-300 Form)

Listed in order of route, what street(s) would you like closed for this activity? (Add additional sheets, if needed)

S Fraser St (After Fraser Garage Entrance to W College Ave) + MLK Plaza

How long will the street closure be in effect? From: 7:00 AM To: 8:00 PM

Will you need barricades and/or signs? ☐ No ☒ Yes

Will you need assistance closing the street? ☐ No ☒ Yes

Are you planning to use sidewalks only? ☒ No ☐ Yes

Will you cross any state roads? ☒ No ☐ Yes (If yes, submit TE-300 Form)

**PLEASE NOTE: Sponsor is held responsible for the replacement value and/or repairs of missing cones, barricades, signs or message boards that are needed/required to close a street.**

\*Event organizers will be required to produce a copy of the PennDOT permit to State College Police Department representatives prior to the event. Failure to do so will prevent the police department from lawfully closing the affected street(s) and the event will not be permitted to take place.

Date of Submission: \_\_\_\_\_

### USE OF OTHER PROPERTY

If this event includes the use of a municipal park, please contact Centre Region Parks and Recreation by phone at (814) 231-3071 or by e-mail at [crpr@crcog.net](mailto:crpr@crcog.net) prior to submission of this form. Special park permits and conditions may also apply.

If any part of this activity is to take place on other public property, state road, on campus or on private property an official of the other government agency, university or property owner must sign here:

Name: (Print) \_\_\_\_\_ Title of Official: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**CHARITABLE CAUSE:** Is the Sponsor a non-profit organization? ☐ Yes ☒ No

If this activity is to benefit a charitable organization, name the recipient: \_\_\_\_\_

**HEALTH CONSIDERATIONS:** Will you be providing food or drink to the public? ☒ Yes ☐ No

If yes, have you made arrangements for approval/inspections with the Department of Ordinance Enforcement and Public Health? ☒ Yes ☐ No

If no, please complete the form that is attached to this application and obtain approval, **prior to submission.**

Applicant recognizes and AGREES that the Borough requires the proposed activity to be conducted in such a manner as to promote harmony in the area, insure domestic tranquility and be within the limits established by existing ordinances. By signature below, applicant AGREES to protect, defend, indemnify and hold the Borough of State College and its officers, employees and agents free and harmless from and against any and all losses penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this special activity. Applicant further AGREES to investigate, handle, respond to, provide defense for, and defend any such claims, etc., at applicant's sole expense and AGREES to bear all other costs expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature:  Date: 08/27/2021

#### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief	<u>JG</u> <u>8/31</u>	Public Works Director	<u>EB</u> <u>8/31</u>	Risk Manager	<u>EH</u> <u>8/31</u>
Parking Manager	<u>TB</u> <u>9/1</u>	Planning Director	<u>EL</u> <u>8/31</u>	Health Director	<u>BO</u> <u>8/31</u>
				Borough Manager	<u>MC</u> <u>8/31</u>

### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: \_\_\_\_\_

Conditions (if any) are as follows: \_\_\_\_\_

*Any change in this application, whether approved at all levels or not, must be resubmitted and routed through the same channels as if it were a new application.*



Dear Business/Property Owner:

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Latin Festival
Event Date:	Saturday, October 9, 2021
Streets:	Fraser St + MLK Plaza
Hours of planned use/closure:	7am - 8pm

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

Signature of Event Organizer/Responsible Individual

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
emailed	Federal Taphouse	9/2/21			X
emailed	Hyatt Place	9/2/21			X
phone consent	Target	9/2/21	✓		
<i>[Signature]</i>	Reini Jeneles	8/27/21	✓		
<i>[Signature]</i>	The Bakery	8/27/21	✓		
<i>[Signature]</i>	CBICC	8/27/21	✓		
<i>[Signature]</i>	Yar Cigarden	8/27/21	✓		
<i>[Signature]</i>	Duck Donuts	8/27/21	X		
<i>[Signature]</i>	Happy Valley Advent. Bureau	8/27/21	X		
<i>[Signature]</i>	DSCID	8/27/21	X		
emailed consent attached	The State Theatre (von Ort)		✓		
<i>[Signature]</i>	Fitted Cuts		✓		

Dear Business/Property Owner:





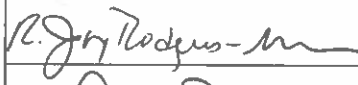
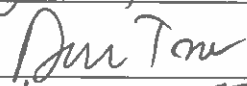
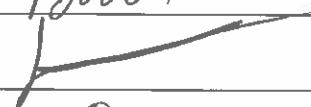
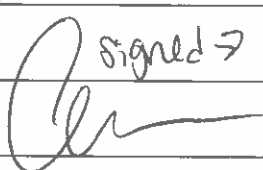

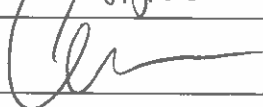





As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	
Event Date:	
Streets:	
Hours of planned use/closure:	

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

Signature of Event Organizer/Responsible Individual

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
					
	Comic swap	8/27/21	✓		
	K2 roots	8/27/21	X		
Notified/no answer	Viva Bella Salon	8/27/21			X
	Nitiny Quidd		X		
	Signature Engravings	8/27/21	X		
	Spectacles	8/27/21	✓		
signed → 	Dunkin Donuts	8/27/21			
	Studio one	8/26/21			
	PA Centre Chamber Orchestra	8/26/21			X
	Fraser St. Gallery				X
	Penn Phone <del>fix</del> (circumstances)	8/26/21			

PLEASE DO NOT BLOCK Business Doors

**Dear Business/Property Owner:**

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

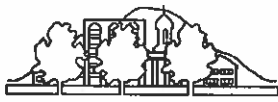
<b>Event:</b>	
<b>Event Date:</b>	
<b>Streets:</b>	
<b>Hours of planned use/closure:</b>	

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

Signature of Event Organizer/Responsible Individual

[illegible]



STATE COLLEGE, PA

Date of Submission: 7/28/21

**Application for Use of Public Property  
(Processions, Assemblages and Special Activities Form)**

The Pennsylvania State University on behalf of its Penn State Homecoming

Name of Responsible Sponsor:

227B HUB Robeson Center

Address of Sponsor:

University Park, PA 16802

Phone: \_\_\_\_\_

prideeventshomecoming@psu.edu

Cell: \_\_\_\_\_

E-mail address: Sean Davis

Fax: 215-740-2434

Other Contacts: (Primary) Kristine Howes, Jami Schaefer

Phone: 814-863-4299

(Secondary) \_\_\_\_\_

Date of Activity: October 18, 2021

From: 1pm

To: 7pm

Rain Date: (If applicable) \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_

Type of Activity: \_\_\_\_\_

No. Expected to Participate: 15,000

**ACTIVITY DETAIL**

Street Fair with live performances, food items, and booths  
featuring Penn State and State College groups and businesses on the 100 Block of S. Allen St.

Does your activity require a street closure for this activity? ☒ No ☐ Yes

If yes, select the type of road to be closed: (For more information see map and list provided)

☐ State Road(s) Only\* (Additional Permit Required: PennDOT TE-300 Form)

☐ Local Road(s) Only

☐ State Road(s) and Local Road(s)\* (Additional Permit Required: PennDOT TE-300 Form)

Listed in order of route, what street(s) would you like closed for this activity? (Add additional sheets, if needed)  
100 Block of Allen Street, State College PA 16801

How long will the street closure be in effect? From: 9 am

To: 9 pm

Will you need barricades and/or signs? ☐ No ☒ Yes

Will you need assistance closing the street? ☐ No ☒ Yes

Are you planning to use sidewalks only? ☒ No ☐ Yes

Will you cross any state roads? ☒ No ☐ Yes (If yes, submit TE-300 Form)

**PLEASE NOTE: Sponsor is held responsible for the replacement value and/or repairs of missing cones, barricades, signs or message boards that are needed/required to close a street.**

\*Event organizers will be required to produce a copy of the PennDOT permit to State College Police Department representatives prior to the event. Failure to do so will prevent the police department from lawfully closing the affected street(s) and the event will not be permitted to take place.

Date of Submission: 7/28/21

### USE OF OTHER PROPERTY

If this event includes the use of a municipal park, please contact Centre Region Parks and Recreation by phone at (814) 231-3071 or by e-mail at [crpr@crcoq.net](mailto:crpr@crcoq.net) prior to submission of this form. Special park permits and conditions may also apply.

If any part of this activity is to take place on other public property, state road, on campus or on private property an official of the other government agency, university or property owner must sign here:

Name: (Print) Michele M Spangler Title of Official: Assistant Treasurer  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Signature: Michele M Spangler Date: 25-Jun-2021  
Michele M Spangler (Jun 25, 2021 13:54 EDT)

**CHARITABLE CAUSE:** Is the Sponsor a non-profit organization? ☐ Yes ☒ No

If this activity is to benefit a charitable organization, name the recipient:  
\_\_\_\_\_

**HEALTH CONSIDERATIONS:** Will you be providing food or drink to the public? ☒ Yes ☐ No

If yes, have you made arrangements for approval/inspections with the  
Department of Ordinance Enforcement and Public Health? ☒ Yes ☐ No

If no, please complete the form that is attached to this application and obtain approval, **prior to submission.**

Applicant recognizes and AGREES that the Borough requires the proposed activity to be conducted in such a manner as to promote harmony in the area, insure domestic tranquility and be within the limits established by existing ordinances. By signature below, applicant AGREES to protect, defend, indemnify and hold the Borough of State College and its officers, employees and agents free and harmless from and against any and all losses penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this special activity. Applicant further AGREES to investigate, handle, respond to, provide defense for, and defend any such claims, etc., at applicant's sole expense and AGREES to bear all other costs expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature: Michele M Spangler Assistant Treasurer Date: 25-Jun-2021  
Michele M Spangler (Jun 25, 2021 15:54 EDT)

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Risk Manager EH 8/4  
Health Director BO 7/30  
Borough Manager AK 8/9

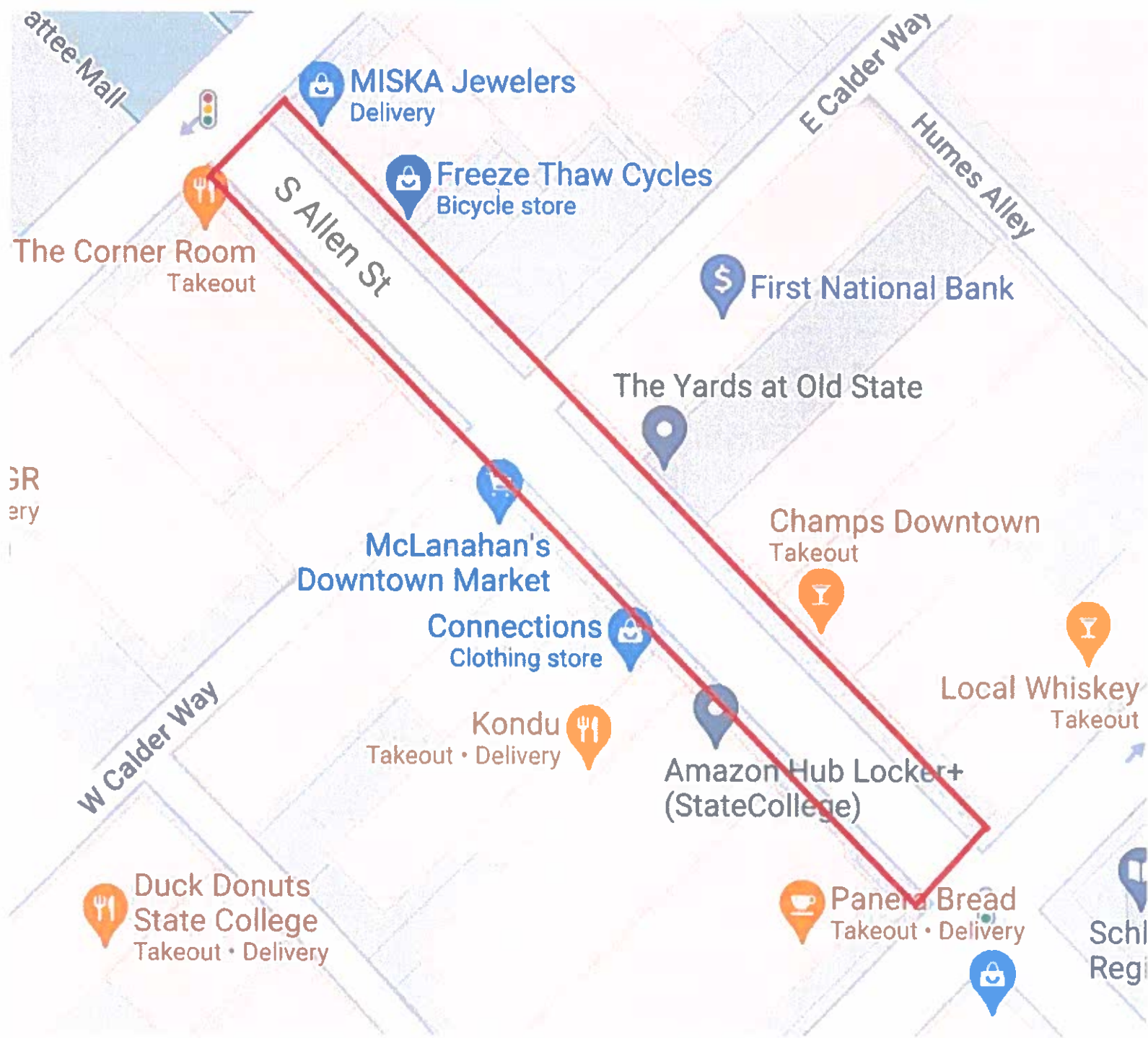
Police Chief JG 7/30 Public Works Director EB 7/30  
Parking Manager TB 8/3 Planning Director EL 7/30

### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: \_\_\_\_\_  
Conditions (if any) are as follows: Mobile food event + registration + Peddler permit

*Any change in this application, whether approved at all levels or not, must be resubmitted and routed through the same channels as if it were a new application.*





## **REGISTRATION OF A FOOD EVENT ON PUBLIC PROPERTY**

Division of Health & Neighborhood Services  
243 South Allen Street, State College, PA 16801  
(814) 234-7191 (phone) (814) 234-7197 (fax)  
[healthdept@statecollegepa.us](mailto:healthdept@statecollegepa.us)

This registration is intended for use by charitable organizations planning to give away food or drink items to the general public or sell food or drink items as a fundraiser. Groups planning to sell any food or drink must contact the State College Department of Ordinance Enforcement and Public Health and return the completed application along with proof of non-profit status to the above address prior to the activity.

**If giving away or selling baked goods, please attach a list of the items to be given away or sold along with the preparer's name, address, and phone number. This information must be submitted with the application. Baked goods must be individually wrapped.**

**No grills, cooking devices or food preparation is permitted on-site (unless previously approved by the Division of Health and Neighborhood Services.**

The Department discourages the sale of potentially hazardous foods or drinks (meats, fish, dairy, etc.). If potentially hazardous foods or drinks are to be given away or sold more than three times per calendar year then the charitable organization must contact the Department of Ordinance Enforcement and Public Health to obtain the appropriate license and pay any fees that may apply.

The Pennsylvania State University on behalf of its

**Penn State Homecoming**

**Sean Davis**

Name of Group

Name of Representative

**227B HUB-Robeson Center**

**215-740-2434**

Address of Representative

Phone Number

**prideeventshomecoming@psu.edu**

**October 18, 2021**

Email

Date(s) of Event

**100 Block of S. Allen St.**

**College Township**

Where will the event be held?

Municipality

What types of food(s) or drink(s) will be provided? Small pre-packaged food items such as funnel cakes and potentially local food trucks (pending approval)

Where will the food(s) or drink(s) be prepared? vendor trucks/facilities

If the food was not prepared in a licensed facility, a sign must be posted in public view to that effect.

*Michele M Spangler*

Michele M Spangler (Jun 15, 2021 15:54 EDT) Assistant Treasurer

25-Jun-2021

Signature

Date

### **FOR INTERNAL USE ONLY**

The State College Borough Council approved your application on: \_\_\_\_\_

Signature: \_\_\_\_\_

**Applications must be submitted to the Division of Health and Neighborhood Services and approved prior to submission of an application for the use of public property (Special Activities Application) where food is to be served.**



Dear Business/Property Owner:

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Allen Street Jam
Event Date:	October 18th, 2021
Streets:	Allen Street, calderway
Hours of planned use/closure:	9:00 AM to 8:00 PM

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

The Pennsylvania State University

Michele M Spangler

Michele M Spangler (Jun 25, 2021 15:54 EDT)

Assistant Treasurer

[Signature]

Signature of Event Organizer/Responsible Individual

Responsible Sponsor Signatory

Date

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
<u>[Signature]</u>	McLennan DM 116 S Allen St	9/24/21	✓		
<u>[Signature]</u>	Jersey Mike's 1250 South Allen	09/24/21	✓		
<u>[Signature]</u>	Connections Clothing 130 S. Allen	4/24/21	✓		
<u>[Signature]</u>	Seely & Boy's	9-24	✓		
<u>[Signature]</u>	Kondu	4/24	✓		
<u>[Signature]</u>	Panera Bread 141 S Allen St	4/24			✓
<u>[Signature]</u>	Kirk Bank	5/25	✓		
<u>[Signature]</u>	The Corner Room	5/25	✓		
<u>[Signature]</u>	106 S Allen St Bill Pickle's Top Room	5/25			✓
<u>[Signature]</u>	134 S Allen St Amazon	5/25			✓
<u>[Signature]</u>	141 S Allen St				



Dear Business/Property Owner:

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Allen Street Jam
Event Date:	October 18 <sup>th</sup> 2021
Streets:	Allen Street, Calderway
Hours of planned use/closure:	9:00 AM to 8:00 PM

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

Sean D. Davis

Signature of Event Organizer/Responsible Individual

The Pennsylvania State University

Nichole M Spangler

Michele M Spangler (Jun 25, 2021 15:54 EDT) Assistant Treasurer

Responsible Sponsor Signature

Date

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
<u>Dorothy Williams</u>	103 S. Allen Street	4/24/21	✓		
<u>Ronald's</u>	107 S Allen St	4/24/21	✓		
<u>Paul L. Work</u>	109 Soot Allen	4/24/21	✓😊		
<u>J. J. J.</u>	115 S. Allen St	4/24/21		X	
<u>Mike McPherson (manager)</u>	131 South Allen	24 APR 2021	—	—	
<u>W. J. J.</u>	145 S Allen	4/24		X	
<u>SE J. J.</u>	Miska Jewelers 100 E. College	5/25	✓		
	117 S Allen St. First National Bank	5/25			✓
	123 S Allen St Appalachian Outdoors				✓
	139 S Allen St Champs Diner				✓



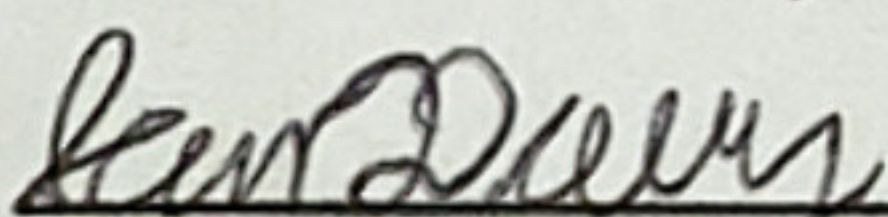
Dear Business/Property Owner:

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

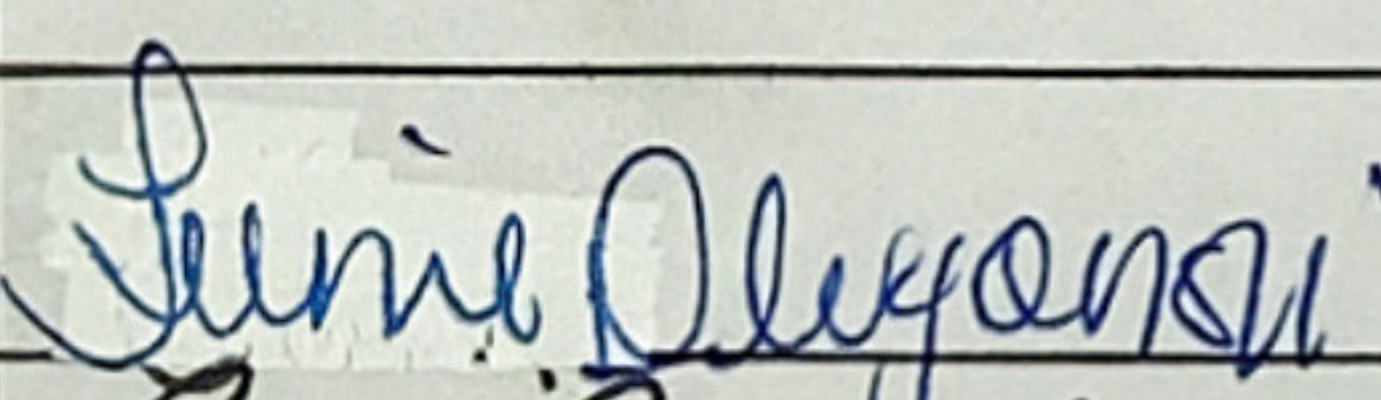
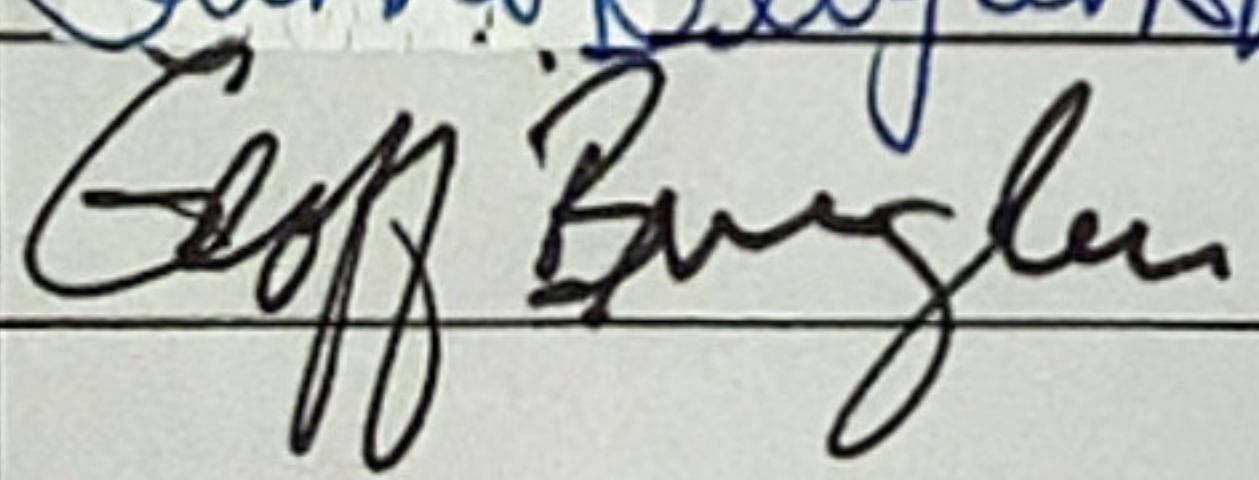
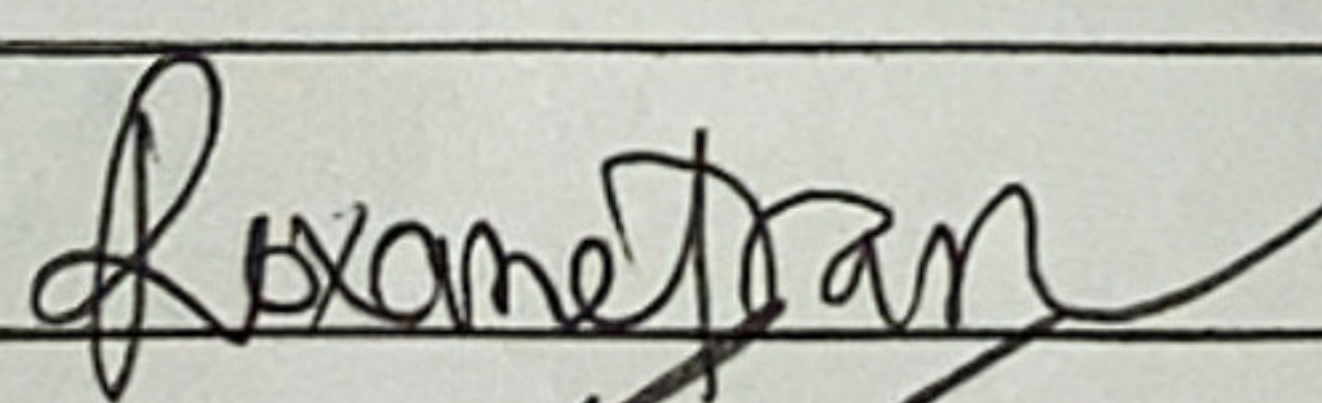
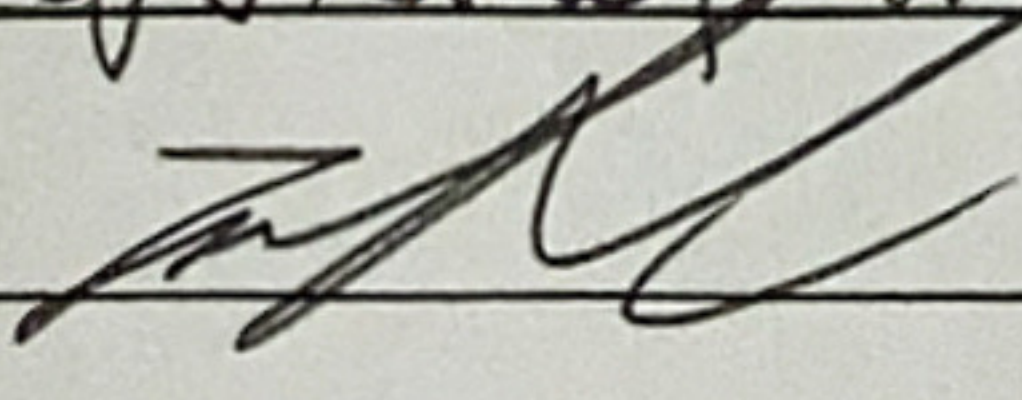
Event:	Allenstreet Jam
Event Date:	October 18 <sup>th</sup> , 2021
Streets:	Allenstreet, Calderway
Hours of planned use/closure:	

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,



Signature of Event Organizer/Responsible Individual

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
	117 S First National Bank Allen St	8/20/21	X		
	131 S Appalachian Outdoors Allen St	8/20/21	X		
	Champs 139 S Allen St				X
	Amazon 134 S Allen St	8/30/21	X		
	Panera Bread 148 S Allen St	8/20/21			
	State Theatre 146 S Allen St				

N/A



Dear Business/Property Owner:

As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Allen Street Jam
Event Date:	October 18 <sup>th</sup> , 2021
Streets:	Allen Street, Calder Way
Hours of planned use/closure:	

Your signature below indicates that you have been informed of this event and our plan for street use and/or closure(s). Please also place an X in the appropriate column, either indicating your approval or that you foresee a possible issue affecting your business.

Sincerely,

*Ken Davis*

Signature of Event Organizer/Responsible Individual

Business/Property Owner Signature	Business Name/Property Owner Street Address	Date	Please check only one box		
			Approve	Not in Favor	Organizers Unable to Contact
<i>June Olyanski</i>	117 S First National Bank Allen St	8/20/21	X		
<i>Geoff Buzgla</i>	151 S Appalachian Outdoor Allen St	8/20/21	X		
Notified/Refused to Sign	Chin's 139 S Allen St				X
<i>Roxanne Tran</i>	Amazon 134 S Allen St	8/20/21	X		
<i>[Signature]</i>	Panera Bread 148 S Allen St	8/20/21			
	State Theatre 146 S Allen St				

2/1



Save & Print

Date of Submission: 8/26/21

**Application for Use of Public Property  
(Processions, Assemblages and Special Activities Form)**

Name of Responsible Sponsor: Chris Weakland, SCASD Director of Athletics  
Address of Sponsor: 653 Westerly Parkway Phone: 814-231-1143  
State College, PA 16801 Cell: 814-404-6330  
E-mail address: cju11@scasd.org Fax: 814-231-4176  
Other Contacts: (Primary) Deanna Yarnell, Administrative Assistant Phone: \_\_\_\_\_  
(Secondary) Phone: \_\_\_\_\_  
Date of Activity: see attachment From: 8/26/21 To: \_\_\_\_\_  
Rain Date: (If applicable) From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Special Activity No. Expected to Participate: 50

**ACTIVITY DETAIL**

Describe your proposed activity in detail: (Add additional sheets, if needed)

Home State College Girl's Tennis Matches, held at SCASD Tennis Courts located along

Does your activity require a street closure for this activity? ☐ No ☒ Yes

If yes, select the type of road to be closed: (For more information see map and list provided)

- ☐ State Road(s) Only\* (Additional Permit Required: PennDOT TE-300 Form)  
☒ Local Road(s) Only  
☐ State Road(s) and Local Road(s)\* (Additional Permit Required: PennDOT TE-300 Form)

Listed in order of route, what street(s) would you like closed for this activity? (Add additional sheets, if needed)  
Prospect Avenue along tennis courts only.

Please see attached map.

How long will the street closure be in effect? From: 3:00pm To: 7:00pm  
Will you need barricades and/or signs? ☐ No ☒ Yes  
Will you need assistance closing the street? ☒ No ☐ Yes  
Are you planning to use sidewalks only? ☒ No ☐ Yes  
Will you cross any state roads? ☒ No ☐ Yes (If yes, submit TE-300 Form)

**PLEASE NOTE: Sponsor is held responsible for the replacement value and/or repairs of missing cones, barricades, signs or message boards that are needed/required to close a street.**

\*Event organizers will be required to produce a copy of the PennDOT permit to State College Police Department representatives prior to the event. Failure to do so will prevent the police department from lawfully closing the affected street(s) and the event will not be permitted to take place.

Date of Submission: 8/26/21

### USE OF OTHER PROPERTY

If this event includes the use of a municipal park, please contact Centre Region Parks and Recreation by phone at (814) 231-3071 or by e-mail at [crpr@crcog.net](mailto:crpr@crcog.net) prior to submission of this form. Special park permits and conditions may also apply.

If any part of this activity is to take place on other public property, state road, on campus or on private property an official of the other government agency, university or property owner must sign here:

Name: (Print) \_\_\_\_\_ Title of Official: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

**CHARITABLE CAUSE:** Is the Sponsor a non-profit organization?

☐ Yes ☒ No

If this activity is to benefit a charitable organization, name the recipient:

**HEALTH CONSIDERATIONS:** Will you be providing food or drink to the public? ☐ Yes ☐ No

If yes, have you made arrangements for approval/inspections with the Department of Ordinance Enforcement and Public Health?

☐ Yes ☐ No

If no, please complete the form that is attached to this application and obtain approval, **prior to submission.**

Applicant recognizes and AGREES that the Borough requires the proposed activity to be conducted in such a manner as to promote harmony in the area, insure domestic tranquility and be within the limits established by existing ordinances. By signature below, applicant AGREES to protect, defend, indemnify and hold the Borough of State College and its officers, employees and agents free and harmless from and against any and all losses penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this special activity. Applicant further AGREES to investigate, handle, respond to, provide defense for, and defend any such claims, etc., at applicant's sole expense and AGREES to bear all other costs expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature:  Date: 8/26/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief	<u>JG</u>	<u>8/27</u>	Public Works Director	<u>EB</u>	<u>8/27</u>	Health Director	<u>BO</u>	<u>8/27</u>
Parking Manager	<u>TB</u>	<u>8/27</u>	Planning Director	<u>EL</u>	<u>8/27</u>	Borough Manager	<u>TF</u>	<u>8/31</u>

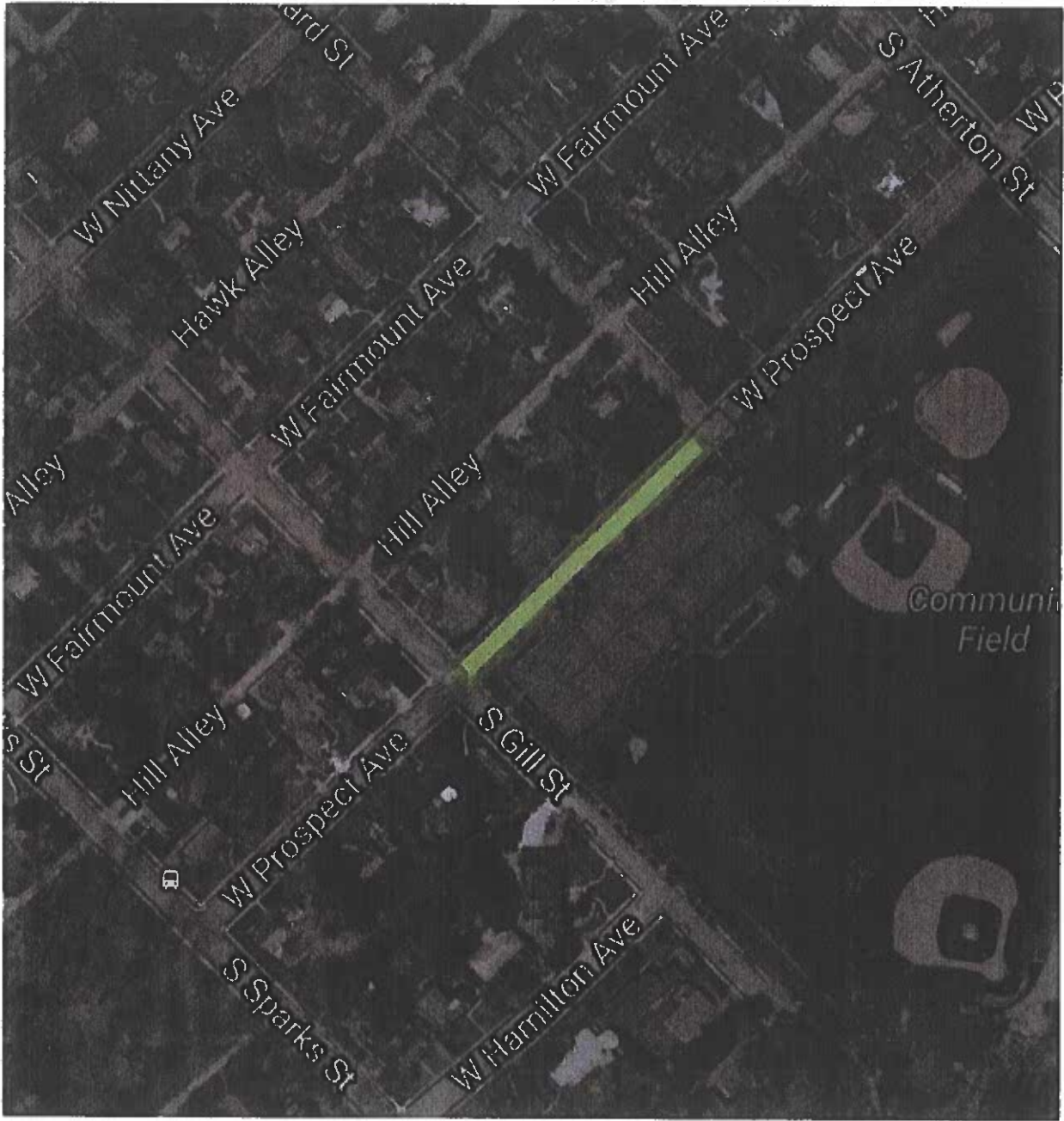
### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: \_\_\_\_\_

Conditions (if any) are as follows: \_\_\_\_\_

*Any change in this application, whether approved at all levels or not, must be resubmitted and routed through the same channels as if it were a new application.*





**Team Schedule**

Girls Tennis

08/26/2021 to 10/29/2021

**State College Area SD****653 Westerly Pkwy****State College, PA 16801****Chris Weakland****School Phone: 814-231-1143****Fax: 814-231-4176****StateAD@scasd.org****Tennis****Girls Varsity**

			Place	Time
Thursday	08/26/21	*Red Land	Home	4:00 PM
Monday	08/30/21	*Carlisle Area SD	Home	4:00 PM
Tuesday	09/07/21	*Mechanicsburg Area SH	Home	4:00 PM
Friday	09/10/21	Wyoming Seminary	Home	4:00 PM
Wednesday	09/15/21	*Palmyra Area	Home	4:00 PM
Friday	09/24/21	*Central Dauphin High School	Home	4:00 PM
Monday	09/27/21	*Hershey High School	Home	4:00 PM
Friday	10/01/21	*Harrisburg HS	Home	4:00 PM
Monday	10/11/21	OPEN (First Round District 6 Team championships)	Home	TBA

**Superintendent**

Dr. Robert O'Donnell

**HS Principals**

Mr. Curtis Johnson

**MS Principals**

Mr. Brian Ishler/Dr. K. Wiser

**Athletic Director**

Chris Weakland

TO: Boards and Councils of Participating Entities for the Solar Power Purchase Agreement  
FROM: Solar Power Purchase Agreement Working Group  
DATE: August 11, 2021  
RE: Energy Services Consultant Factsheet

## Key Points

- The State College Area School District (SCASD) has been asked to be the lead organization in hiring the energy services consultant
- The energy services consultant will assist the Solar Power Purchase Agreement Working Group (SPPA WG) in our **exploration** of the viability of investing in a joint SPPA.
  - The group is considering aggregating a portion of each of their electricity usage from a large-scale solar facility.
  - A SPPA is when buyers purchase electricity from a utility-scale, off-site renewable energy generator to use at their facilities.
- The total estimated cost is \$75,000 (distributed amongst the 15 entities partnering in the SPPA WG – shown on page 2) will be utilized to retain the energy services consultant.
  - These costs are for an energy services consultant only and do not obligate the member entities in any financial way related to the purchasing of energy through a contract.
- **Deadline: September 15, 2021** The SPPA WG representative will be asked to vote on the recommendation that SCASD hire GreenSky Development Group at its meeting.
- SCASD will negotiate with the consultant until September 30 to receive the best and final offer and to define a not to exceed amount.

## Timeline for the Energy Services Consultant Contract Award:

June 29, 2021:	Open bids from Energy Services Consultant
August 11, 2021:	SPPA WG reviews, recommends, and refers energy service consultant to boards/councils
<b>August 11 – Sept 14:</b>	<b>Boards/Councils endorse the hiring of an energy services consultant</b>
Sept 15, 2021:	SPPA WG recommends SCASD hire an energy service consultant
Sept 15 – Oct 1:	SCASD reviews, negotiates price and develops contract
<b>Oct 11, 2021:</b>	<b>SCASD enters a contract</b> with energy services consultant. All documents signed by SCASD.

EXHIBIT A

As Approved at 12/18/19 SPPA Meeting

Month	CCRRA	Centre Co	SCASD	SCBWA	kWh Utilized							CTWA	Halfmoon	Harris	Total
					CATA	CCHA	CHPSA	COG	SCB	Ferguson	Patton	College			
January	70,784	215,933	1,474,887	409,045	2,862,760	1,017,299	495,130	113,920	3,111,534	58,413	45,331	35,478	69,094	13,509	10,000,921
February	61,520	192,859	1,244,806	441,272	-	-	-	115,955	-	47,144	39,150	25,048	61,428	11,177	2,251,219
March	60,240	185,740	1,115,968	383,280	-	-	-	106,651	-	47,467	36,074	30,187	53,075	8,916	2,037,829
April	46,864	166,935	1,038,836	387,090	-	-	-	108,033	-	43,728	35,507	32,548	53,240	8,142	1,927,521
May	43,296	155,847	1,045,919	386,012	-	-	-	100,395	-	39,288	27,194	31,049	50,134	4,789	1,890,138
June	39,704	173,075	978,098	362,209	-	-	-	118,101	-	43,789	25,926	30,471	52,413	3,234	1,831,527
July	43,360	147,845	811,785	346,405	-	-	-	161,032	-	45,473	25,899	32,240	50,962	3,331	1,672,309
August	43,432	171,105	828,907	339,381	-	-	-	167,354	-	47,060	26,667	31,513	48,550	4,470	1,712,484
September	44,024	169,377	1,293,683	297,486	-	-	-	160,564	-	47,216	29,246	33,267	51,241	3,581	2,133,442
October	39,776	150,086	1,196,764	361,938	-	-	-	154,772	-	43,878	26,383	32,989	54,757	4,567	2,069,894
November	54,232	168,401	1,315,030	363,590	-	-	-	116,609	-	44,926	31,563	31,604	93,995	7,197	2,230,073
December	62,976	197,614	1,402,372	381,958	-	-	-	99,928	-	49,676	41,203	36,232	64,860	12,141	2,353,101
Total	610,208	2,094,817	13,747,055	4,459,666	2,862,760	1,017,299	495,130	1,523,314	3,111,534	558,058	390,143	382,626	703,749	85,230	32,110,459
% Usage	1.90%	6.52%	42.81%	13.89%	8.92%	3.17%	1.54%	4.74%	9.69%	1.74%	1.22%	1.19%	2.19%	0.27%	100.00%
Estimated Cost **	\$ 1,235	\$ 4,238	\$ 27,827	\$ 9,029	\$ 5,798	\$ 2,061	\$ 1,001	\$ 3,081	\$ 6,299	\$ 1,131	\$ 793	\$ 774	\$ 1,424	\$ 137	\$ 65,000

\*\* - Estimated Cost is the proportionate share of \$65,000 in legal and consulting services. \$65,000 falls at the higher end of the estimated cost of said services.

<b>Revised Estimated Cost @@</b>	<b>\$ 1,425</b>	<b>\$ 4,890</b>	<b>\$ 32,108</b>	<b>\$ 10,418</b>	<b>\$ 6,690</b>	<b>\$ 2,378</b>	<b>\$ 1,155</b>	<b>\$ 3,555</b>	<b>\$ 7,268</b>	<b>\$ 1,305</b>	<b>\$ 915</b>	<b>\$ 893</b>	<b>\$ 1,643</b>	<b>\$ 158</b>	<b>\$ 203</b>	<b>\$ 75,000</b>
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@@ - Updated based upon receipt of RFPs prior to further negotiation and assessment.

**ORDINANCE \_\_\_\_**

**AN ORDINANCE REQUIRING FACE COVERINGS FOR ALL PERSONS INSIDE  
BUSINESSES AND OTHER FACILITIES OPEN TO THE PUBLIC  
AS DELTA VARIANT CAUSES A RISE IN CASES  
DURING THE COVID-19 PANDEMIC**

**WHEREAS**, the Center for Disease Control (CDC) has updated information for fully vaccinated people given new evidence on the Delta variant currently circulating in the United States; and

**WHEREAS**, the CDC has stated that masks are a simple barrier to help prevent your respiratory droplets from reaching others; and

**WHEREAS**, the Pennsylvania Department of Health urges Pennsylvanians to wear a face covering for the protection of themselves and others; and

**WHEREAS**, the CDC added a recommendation for fully vaccinated people to wear a face covering in public indoor settings in areas of substantial or high transmission; and

**WHEREAS**, Centre County now has high transmission of COVID-19, thus should adhere to the updated CDC guidance; and

**WHEREAS**, the State College Board of Health met on September 2, 2021 and voted unanimously to recommend the State College Borough Council enact an ordinance requiring face coverings be worn in businesses and other facilities open to the public while Centre County is considered a high transmission community by the CDC, and

**NOW, THEREFORE, IT IS HEREBY ORDAINED THE COUNCIL OF THE BOROUGH OF STATE COLLEGE** requires all Borough of State College businesses and other public facilities to require face coverings be worn indoors for all persons, in conformance with the CDC guidance on masking, regardless of vaccination status.

**SECTION 1. Definitions.**

**“Business”** includes all commercial, retail, wholesale, professional, and service establishments, whether for profit or not for profit, if members of the public, guests, clients, customers, and/or persons who are not family or household members may enter or otherwise come into contact with owners, operators, or employees.

**“Face Covering”** means a clean cloth, fabric, or other soft or permeable material, without holes, that covers both the mouth and nose, including, but not limited to surgical masks, respirators, face shields, handmade or homemade masks, bandanas, neck gaiters, scarves, or wraps made up on tightly woven fabric such as denim or cotton.

“**Person or persons**” includes all persons not exempted from wearing face coverings or masks in this ordinance. The terms include business employees, as well as customers, visitors, guests, clients, and invitees.

## **SECTION 2. Wearing of Face Coverings.**

Consistent with the CDC recommendation, all persons regardless of vaccination status two (2) years of age and older shall be required to wear a Face Covering in the Borough of State College as set forth herein Section 2, Paragraphs A through F.

- A. Inside any building open to the public, such as, but not limited to, grocery stores, pharmacies, business locations, home improvement stores, retail stores, service establishments, and medical and dental treatment facilities.
- B. Inside all municipal and other governmental buildings.
- C. On all transport and transit vehicles, including, but not limited to, CATA bus, rideshare (such as Uber, Lyft, and taxis) and shuttle vehicles.
- D. While working in all jobs that entail coming into contact with any member of the public, including, but not limited to, all work involving the preparation or packaging of food and/or beverage unless separated by a physical barrier between the employee and the public.
- E. Parents or guardians are responsible for ensuring that minor children two (2) years of age and older wear face coverings, unless such children are exempt as set forth herein.
- F. While participating in indoor physical activity in a gym, fitness center, or group fitness classes.

For the protection of employees and other customers and subject to the requirements of the Americans with Disabilities Act of 1990, as amended (ADA), businesses must require their employees to wear face coverings at work in conformance with this emergency order.

## **SECTION 3. Wearing of Face Coverings, Exceptions.**

Wearing of face coverings shall NOT be required under the following circumstances:

- A. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering, provided that said person provides documentation from a licensed medical professional of such medical, mental health, or disability preventing the wearing of a face covering. In the event that the person provides said documentation immediately, or within five days, the citation shall not be issued.

- B. Persons who are hearing impaired, or who are communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- C. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
- D. Persons who are obtaining a service or treatment involving the nose or face or a medical procedure for which temporary removal of the face-covering is necessary to perform the service.
- E. Persons who are seated at a restaurant or other establishment that offers food or beverage service, and all requirements as established by the Pennsylvania Department of Health are followed.

#### **SECTION 4. Posting of Notice Required.**

The owner or other responsible person of all businesses and other buildings open to the public shall post at all public entrances a notice advising that all persons entering the business or other buildings open to the public are required to wear a face covering when in the business or other building open to the public.

#### **SECTION 5. Enforcement.**

Law enforcement and other public safety, health officers, ordinance enforcement officers, and emergency management personnel are charged with the enforcement of this ordinance.

- A. Any person found to have violated the provisions of this Ordinance shall be found guilty of a civil infraction, punishable by a fine of \$300.
- B. Any business found to have violated the provisions of this Ordinance shall be found guilty of a civil infraction, punishable by a fine of \$300. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

#### **SECTION 6. Severability.**

If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such holding shall not affect the validity of the remaining portions or applications of this Ordinance.

**SECTION 7. Effective Date.**

This emergency Ordinance shall take effect immediately upon adoption and shall remain in effect until 12:01 a.m. on Monday, November 22, 2021.

**ATTEST:**

**BOROUGH OF STATE COLLEGE**

\_\_\_\_\_  
Sharon K. Ergler  
Assistant Borough Secretary

By:\_\_\_\_\_  
Jesse L. Barlow  
President of Council

EXAMINED AND APPROVED as an Ordinance this \_\_\_\_ day of September 2021.

\_\_\_\_\_  
Ronald L. Filippelli  
Mayor

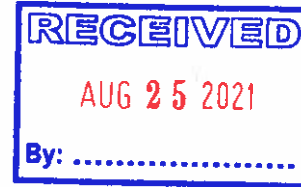


HFL Corporation  
c/o Pugh Centre  
1155 Benner Pike  
State College, PA 16801  
814-238-4000

August 21, 2021

VIA EMAIL, HARDCOPY TO FOLLOW BY US MAIL

Thomas J. Fountaine, II  
State College Borough  
243 South Allen Street  
State College, PA 16801



**RE: Pugh Centre Inclusionary Housing Units**

Dear Tom,

As you and your staff are aware, we have had challenges leasing the 4-bedroom Inclusionary Housing Units at The Pugh Centre. For over a year, we have marketed the units in accordance with the marketing plan we developed with the Borough, which included multiple print advertisements in the Centre Daily Times, on-site advertising, and solicitation to various community development organizations, to no avail.

Per the Borough's Inclusionary Housing Ordinance ("The Ordinance") §1952(i), we would like to offer six (6) of the units for purchase to the Borough or its assignee. The Ordinance further identifies the process for determining the purchase price in §1952(c)(6), which directs the developer to §1952(b)(4) to determine the sales price calculation:

Sales Price Calculation. With respect to inclusionary units offered for sale, prices will be calculated on the basis of:

- An available fixed-rate, thirty-year mortgage, consistent with the average rate published from time to time, typically quarterly, by Freddie Mac or its equivalent.
- A down payment of no more than 5% of the purchase price.
- A calculation of property taxes.
- A calculation of homeowner insurance.
- A calculation of condominium or homeowner association fees.
- Other monthly fees, as allowed by the Borough, such as monthly land lease fees.

Based on the above considerations, the price per unit will be approximately \$475,000. In addition, we would need to create a condominium if we were to sell to the Borough, the process of which would likely cost \$150,000 in total, or \$25,000 per unit. We would also need to refinance the property without these six units, which would require breaking our current mortgage, resulting in an early termination swap breakage fee of approximately \$5.2 million, or \$866,667 per unit. In total, the estimated price per unit were the Borough to be interested in purchasing the units would be \$1,366,667.

We would like to begin dialogue regarding the Borough's intentions as we offer to sell the units to the Borough. Should the Borough not be interested purchasing the units, we would like the opportunity to pay the fee-in-lieu, a remedy provided for in The Ordinance §1952(i). We look forward to working together to resolve this matter in a timely manner.

Sincerely,

Heddy L. Kervandjian  
Managing Member

CC: Ed LeClear

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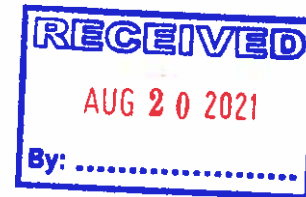
**254 East Beaver, LLC**

Suite 700  
250 E. Beaver Avenue  
State College, PA 16801

August 18, 2021

**VIA CERTIFIED MAIL, POSTAGE PREPAID**

Tom Fountaine, Borough Manager  
State College Borough Municipal Building  
243 S Allen Street  
State College, PA 16801



Re: Inclusionary Housing Agreement  
254 E Beaver Ave.  
Notice of Offer of payment in lieu of sell

Dear Tom:

254 East Beaver Avenue, LLC ("Owner"), is successor in interest to Highland Holding Group, Inc. ("Highland"). Highland entered into an Inclusionary Housing Development Agreement for Rental Projects with the Borough dated March 30, 2017 (the "Agreement"). Under Section 4.03.4 of the Agreement, Owner may terminate the Agreement under the Fee-in-Lieu Remedy with the payment of \$129,000.00 per Inclusionary housing unit, or \$438,600.00, as calculated for the 3.4 units Inclusionary Units under the Agreement (the "Fee-in-Lieu Payment").

As further background, on July 29, 2019, the Owner submitted the payment of \$438,600.00 to the Borough of State College (the "Borough") pursuant to Section 4.03.4 of the Agreement, which states providing such payment is a clear mechanism for final termination of the Agreement. On April 1, 2021, this payment was returned to Owner by the Borough. Both the July 29, 2019 letter from Owner to the Borough, and the Borough's letter to owner on April 1, 2021 are attached for informational purposes.

While the Agreement provides for the Fee-in-Lieu Payment, the Inclusionary Housing Ordinance, section 1952 provides:

Inability to Rent or Sell Inclusionary Units to Qualified Households. If the developer meets or exceeds the marketing requirements, referenced in paragraph h above, for a period of one year from final certificates of occupancy issuance, and is still unable to lease or sell inclusionary units to qualified households, the developer shall offer the inclusionary units to the Borough or its assignee for purchase, per Section 4.c.(6). If the Borough or its assignee does not purchase the inclusionary units, the developer may pay the fee-in-lieu for the number of available inclusionary units if the developer has met all of the other requirements of this ordinance, this payment shall release the inclusionary units to market-rate units.

Borough staff knows and agrees that the Owner has tried and met all of the requirements to lease the units for the required one-year period, commencing in July of 2018 and ending in

Tom Fontaine  
August 18, 2021  
Page 2

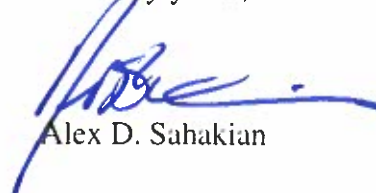
July of 2019, and, in that time, was unable to lease the three inclusionary units at the 254 East Beaver Avenue building known as the Edge to Qualified Households.

In order to avoid any disagreement on whether or not the Fee-In Lieu Payment should, in fact, provide for a final termination of the Agreement without any further action, the Owner is offering the Borough the right to purchase the three inclusionary units at a price of \$800,000.00 per unit for a total of \$2.4 million (the "Unit Purchase Price"). In addition to the Unit Purchase Price, the Borough would be required to pay any costs associated with creating a condominium regime in order to sell the units to the Borough, plus any costs associated with prepaying the current financing on the entire building, which assumed a single building without a condominium regime, and any other related unforeseen costs (together the "Additional Costs"). The Additional Costs are expected to be substantial.

If the Borough wishes to pursue the purchase of the three units, these Additional Costs would need to be ascertained, added to the Unit Purchase Price and finalized in an agreement of sale (to be approved in final form by the Owner and its member(s) and the Borough). However, if the Borough wishes instead to receive the Fee-In-lieu Payment, then the Owner is prepared to pay the Borough the sum of \$129,000 per unit for the 3.4 inclusionary units, calculated under the Agreement, or a total of \$438,600.00 within three days of receipt of such notice from the Borough. Please indicate the Borough's preferred course at your convenience.

With delivery of the payment to the Borough, we request a confirmation from the Borough that the three inclusionary units shall be released to become market-rate units and the execution by the Borough of any documents customary to effectuate such release.

Sincerely yours,



Alex D. Sahakian

cc (via email):

Ed LeClear  
Terry J. Williams, Esq.  
Ronald M. Lucas, Esq.



# BOROUGH OF STATE COLLEGE

243 South Allen Street, State College, PA 16801-4806

April 1, 2021

Alex D. Sahakian  
President, Highland Holding Group  
254 East Beaver Avenue  
State College, PA 16801

**RE: Inclusionary Housing Agreement Termination, the EDGE mixed-use building, 254 E. Beaver Avenue**

Dear Mr. Sahakian,

As per our earlier conversation, please accept my apologies and those of the Borough Manager for the prolonged nature of our response to your notice triggering the termination of the Inclusionary Housing agreement under the Fee-in-Lieu remedy. There were several aspects of this request that required research and legal consultation in order to ensure that the requirements of the zoning ordinance are appropriately enforced, and the Borough's COVID-19 response unfortunately took priority. My hope is that this letter, and your subsequent reply, will ensure that the requirements are met so that we may resolve this issue promptly.

In your letter you reference section 4.03.4 of the Inclusionary Housing Agreement dated March 30<sup>th</sup>, 2017. As we previously discussed, the Inclusionary Housing Agreement also includes section 2.01 which states:

*Compliance with Zoning Requirements. Developer/Owner agrees to comply with the requirements set forth in the State College Borough Ordinance 1972, Inclusionary Housing Ordinance.*

The Borough's Inclusionary Housing Ordinance provides for an opportunity for the payment of a fee-in-lieu remedy after a year of meeting the marketing requirements; however, it requires an intermediary step. The developer shall offer the units for purchase to the Borough or its assignee. The section 1952 i is cited in its entirety below:

*Inability to Rent or Sell Inclusionary Units to Qualified Households. If the developer meets or exceeds the marketing requirements, referenced in paragraph h above, for a period of one year from final certificates of occupancy issuance, and is still unable to lease or sell inclusionary units to qualified households, the developer shall offer the inclusionary units to the Borough or its assignee for purchase per Section 4.c.(6). If the Borough or its assignee does not purchase the inclusionary units, the developer may pay the fee-in-lieu for the number of available inclusionary units. If the developer has met all the other requirements of this ordinance, this payment shall release the inclusionary units to market-rate units.*

MAYOR: RONALD L. FILIPPELLI

COUNCIL PRESIDENT: JESSE L. BARLOW

BOROUGH COUNCIL: DEANNE M. BEHRING

JANET P. ENGEMAN

THERESA D. LAFER

PETER S. MARSHALL

EVAN MYERS

KATHERINE OH YEAPLE

PHONE: (814) 234-7110

FAX: (814) 231-3082

TDD: (814) 234-7101

WEBSITE: WWW.STATECOLLEGEPA.US

## **IH Agreement Modification**

**April 1, 2021**

**Page 2**

The ordinance identifies the process for determining the purchase price in Section 1952 c (6), which directs the developer to Section 1952 b (4) to determine the sales price calculation:

**Sales Price Calculation.** With respect to inclusionary units offered for sale, prices will be calculated on the basis of:

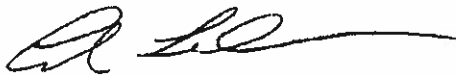
- An available fixed-rate, thirty-year mortgage, consistent with the average rate published from time to time, typically quarterly, by Freddie Mac or its equivalent
- A down payment of no more than 5% of the purchase price.
- A calculation of property taxes.
- A calculation of homeowner insurance.
- A calculation of condominium or homeowner association fees.
- Other monthly fees, as allowed by the Borough, such as monthly land lease fees.

The Borough understands there are likely challenges to the process of creating a condominium to sell to the Borough, and the costs associated with the process. This letter is intended to notify you of the requirements of the ordinance and begin dialog with the Borough Manager regarding the Borough's intentions should you offer to sell the unit to the Borough.

Enclosed is your initial check that you provided for the fee-in-lieu payment. While the amount provided is correct, we cannot accept payment without first receiving an offer of sale as per the previous sections cited.

I look forward to working with you further to resolve this matter. Please feel free to contact me at your convenience at (814) 234-7100 should you have any questions for need additional clarification.

With best regards,



Ed LeClear, AICP  
Director, Planning & Community Development

cc: Thomas J. Fountaine, II, Borough Manager



250 East Beaver Avenue, Suite 700, State College, PA 16801  
Phone: 814-237-4400 Fax: 814-826-2720

Alex D. Sahakian  
President, Highland Holding Group, Inc.  
Sole Member of 254 E. Beaver, LLC

Mr. Thomas J. Fountaine, II  
Borough Manager  
State College Borough  
243 South Allen Street  
State College, PA 16801

**RE: Inclusionary Housing Agreement Termination, the EDGE mixed-use building, 254 E. Beaver Ave**

Dear Tom;

254 East Beaver Avenue, LLC ("254" or "Owner"), as successor in interest to Highland Holding Group, Inc. ("Highland") under the Inclusionary Housing Development Agreement dated March 30<sup>th</sup> 2017, between Highland and the State College Borough ("Borough") (the "Agreement", also attached as Exhibit A), hereby provides notice that it has elected to terminate the Agreement under the Fee-in-Lieu Remedy, as provided for under section of 4.03.4 of the Agreement. This section 4.03.4 reads:

"This Agreement can be terminated at any time by Developer/Owner and/or the Inclusionary Housing Owner by paying the Borough the fee-in-lieu amount due at the time of entering into this Agreement. Such payment shall be made within thirty (30) days of such notice (the "Fee-in-Lieu Remedy"). The Fee In Lieu Remedy shall be final and binding on all parties and shall release Developer/Owner and/or Inclusionary Housing Owner of any and all obligations as it pertains to this Agreement."

In calculating the fee-in-lieu amount, which would have been due at the time of the signing of the Agreement in March 2017, we have referred to page 287 of the Borough's 2017 Budget (attached as Exhibit B), which provides for an Inclusionary Housing: Fee-in-Lieu of One Hundred Twenty Nine Thousand Dollars (\$129,000.00) per unit in a Multiple Dwelling Unit, such as the EDGE. While the EDGE has only three inclusionary housing units, Ed LeClear has rightly pointed out to us that these three units are a result of having rounded down from the 3.4 required units shown on our land development plan, and further, that there is no such rounding down in the case of making a fee-in-lieu payment.

Accordingly, please find enclosed a check in the amount of Four Hundred Thirty Eight Thousand Six-Hundred Dollars (\$438,600.00), constituting the full payment required under the Fee-in-Lieu Remedy.



250 East Beaver Avenue, Suite 700, State College, PA 16801  
Phone: 814-237-4400 Fax: 814-826-2720

I hope that the Borough is able to make use of these funds to better advance the cause of affordable or workforce housing than we were able by providing the three four-bedroom two-bath apartments at the EDGE. I should note that, since marketing in May of 2018, we have only had one applicant who was qualified by the Borough (attached as Exhibit C). Furthermore, that applicant was only qualified to rent a one-bedroom apartment at the EDGE (which we do not have), and at a rate that would roughly one half of what we are allowed under the calculations for a five person household making 60% of AMI. Candidly, there was very little interest at all for the inclusionary units at the EDGE. For example, the two inclusionary housing workshops presented by Chris Rand from our office, were only attended by Liz Eirmann from the Borough.

I don't think I am engaging in hyperbole when I say this has proven to be challenging in reaching its objective, while also proving to be complicated for all involved in its administration. But, we are ready and willing to share our experiences with the program with any Borough staff should they be interested in them.

Sincerely Yours,



Alex D. Sahakian



NOTES

# RECEIPT

DATE July 29 2019 NO. 872575

RECEIVED FROM 254 East Beaver LLC

ADDRESS \_\_\_\_\_

Check for \$438,600.00

FOR Inclusionary Housing Agreement Termination

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK		
BALANCE DUE			MONEY ORDER		

BY Dennis G. Zucchi

c REDFORM 2 81800

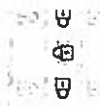
**Fulton Bank**  
LISTENING IS JUST THE BEGINNING.  
60-142/313

**254 East Beaver LLC**  
270 Walker Drive, Suite 200SW  
State College, PA 16801  
814.237.4400

PAY TO THE ORDER OF STATE COLLEGE BOROUGH 7/29/2019 \$ \*\*438,600.00  
Four Hundred Thirty-Eight Thousand Six Hundred and 00/100\*\*\*\*\* DOLLARS

STATE COLLEGE BOROUGH  
243 SOUTH ALLEN STREET  
STATE COLLEGE PA 16801-4864

MEMO

 AUTHORIZED SIGNATURE  


⑈000388⑈ ⑆031301422⑆ 0090860400⑈

**254 East Beaver LLC**

STATE COLLEGE BOROUGH  
Date 7/29/2019 Type Reference Bill

Original Amt.	438,600.00	7/29/2019	Discount	Payment
			438,600.00	438,600.00
			Check Amount	438,600.00

0388

Fulton (254 East Beaver LLC)

438,600.00



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# STATE COLLEGE BOROUGH

## MEMORANDUM

## PLANNING DEPARTMENT

**to:** Tom Fountaine, Borough Manager  
**from:** Ed LeClear, Planning Director  
**subject:** **State College Borough Local Historic District Operations and Cost Information**  
**date:** 9/9/2021

At the August 2<sup>nd</sup>, 2021, Borough Council meeting Councilman Myers asked for operations and cost information on the administration of the Borough's local historic districts and Historical Architectural Review Board (HARB). Specifically, he asked how many Certificates of Appropriateness (COAs) have been reviewed by HARB and Council and what were their dispositions. Thirdly, he requested cost information as to the operations of the committee both in terms of use of a third-party consultant, and the cost to the Borough in staff time.

### **Background**

Council adopted Ordinance 2104 on December 18, 2017 and established two local historic districts in the Highlands--Holmes-Foster and College Heights neighborhoods. The ordinance became effective in 2018 after Council adopted separate design guidelines to supplement the ordinance. The ordinance created a seven-member advisory board known as the Historical Architectural Review Board whose purpose is to review applications for Certificates of Appropriateness and recommend approval or denial to Borough Council. The HARB receives staff support from the Borough Planning Department and utilizes a third-party historic preservation consultant to provide technical review and advice on each application.

### **Number of Certificates of Appropriateness**

Since the effective date of the local historic district ordinance, a total of ten applications have been reviewed by HARB. One was withdrawn by the applicant and nine were forwarded to Council for review and approval or denial. **HARB recommended seven for approval, one for denial and one for partial approval/denial. Council voted to approval all nine COA applications.**

Attached to this memo is a more detailed accounting of each of the Certificates of Appropriateness, the specifics of the demolition/addition, the HARB recommendation and Council outcome.

### **Cost of Operations**

Costs for HARB operations can be broken down into for main areas:

- 1) Third-party historic preservation consultant COA reviews. These are billed on a per-application basis.

- 2) Staff time spent on specific COA applications. This includes:
  - a. plan review/research
  - b. contact with the applicants
  - c. inspections/ site meetings
  - d. at times, attending the meetings
  - e. final inspections

Staff estimates roughly seven (7) hours of time is committed per COA application.

- 3) Staff time spent preparing agendas and conducting the meetings. Staff estimates three hours (3) per meeting.
- 4) Staff time spent on a weekly basis answering residents, design professionals, Realtors, and contractors' questions about the local historic district ordinance. Staff estimates two (2) hours a week of staff time is committed to answering questions from individuals when a specific COA application has not been filed.

Breaking down the cost by each of the four cost areas based on the operations of the HARB since the first application in 2019 until September 2021, the estimates are as follows:

- 1) Third-party historic preservation consultant review and reports: **\$21,605**
- 2) Staff review and permitting of COA applications: **\$5,731**
- 3) Staff answering resident/professional's questions regarding the ordinance: **\$25,990**
- 4) Staff preparing agendas and managing meetings: **\$4,258**

TOTAL operations costs (1/2019 to 9/2021) for the local historic district ordinance: **\$57,584**

Date	Address	Historic District	Project Description	HARB Recommendation	Council Decision
2/5/2019	400 S Gill Street	Holmes-Foster/Highlands	Reroofing and re-sloping of a side porch.	Issue a COA. Maintenance project.	Voted in favor of COA.
12/3/2019	517 Hetzel Street	Holmes-Foster/Highlands	Demolition of the carport on the south side of the property.	Issue a COA.	Voted in favor of COA.
8/4/2020	205 Adams Avenue	College Heights	Construction of a new home.	Issue a COA.	Voted in favor of COA.
8/4/2020	720 N Allen Street	College Heights	Renovation of the existing home with interior and exterior alterations, construction of an addition to the original structure, and reconfiguration of the driveway.	Issue a COA with the following conditions: maintain symmetry of the front façade, keep front door design simple, and maintain original siding of the building.	Voted in favor of COA.
10/6/2020 and 3/2/2021	321 Fraternity Row	Holmes-Foster/Highlands	Enclosure of the front patio and addition of handicap access.	Do not issue a COA as the changes made did not comply with the design guidelines, as the addition is not similar nor subordinate to the original. Recommended a smaller porch and greater detailed drawings. Applicant withdrew application later on.	Voted in favor of COA.
10/6/2020	512 E Foster Avenue	Holmes-Foster/Highlands	Construction of a new roof over the existing front stoop in front of primary home entrance.	Issue a COA on the following conditions: simplify the window and remove transom, use 3 double-hung windows with light mullions, optimize the opening, and have the based of the proposed addition consist of comparable stone or siding.	N/A
1/5/2021	720 Sunset Road	College Heights	Conversion of an attached garage into a living space.	Issue a COA as the addition does not adversely impact the neighborhood and is subordinate to the house. There are many similar porches throughout the neighborhood.	Voted in favor of COA.
2/2/2021	456 Hillcrest Avenue	College Heights	Addition of a back porch.		Voted in favor of COA.
7/6/2021	230 Hartswick Avenue	Holmes-Foster/Highlands	Addition of solar panels on the roof.	Issue a COA as solar panels are allowed according to the Design Guidelines.	Voted in favor of COA.
7/6/2021	330 S Patterson Street	Holmes-Foster/Highlands	Removal of the front stoop and replacement with a new, covered front porch, enclosure of the side entry and installation of an egress window, replacement of the 8' garage door with a 9' garage door, addition of a front sidewalk from the new front porch to the public sidewalk.	Issue a COA allowing all but the removal of the front stoop and replacement with a new, covered front porch.	Voted in favor of COA in its entirety.

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September 2, 2021

The Borough of State College  
243 South Allen Street  
State College, PA 16801

Attn: Mr. Thomas J. Fountaine II, Borough Manager

Re: Columbia Gas of Pennsylvania Atherton Street 153 Project

Dear Mr. Fountaine,

This letter is a request for the permission of night work for the proposed Columbia Gas of Pennsylvania pipeline relocation project on North Atherton Street in State College Borough. The project is scheduled to take place in the remainder of 2021. Pending all permitting and approvals, this section of the project is planned to start in the month of September and be completed by the end of November.

The ability to complete this project at night would provide the following benefits: crew and pedestrian safety, construction progress, and minimizing/mitigating conflicts with both vehicular and foot traffic is the timing of construction.

Night construction in this area, more so than other areas, is needed due to the volume of traffic. The average daily traffic volumes are estimated to be 8,860 eastbound and westbound estimated at 9,628 westbound. Along with vehicular traffic, this area is extremely busy with student and pedestrian foot traffic. Bus traffic also plays a role in the difficulty of managing a day time work zone.

Any reduction of vehicular and foot traffic during construction activities will help aid in the safety of both the contractor and pedestrian traffic. It will also limit the amount of traffic congestion during high traffic times.

We are submitting this request to perform construction at night on North Atherton St from the Westgate Building to Clay Ln. We are discussing this request with PennDOT and Penn State also.



Below are some specific details of the proposed work.

**Location:**

On North Atherton St from the Westgate Building to Clay Ln. (see attached overview map)

**Timing:**

Starting: September 27<sup>th</sup> , 2021

Completion: October 20<sup>th</sup> , 2021

Monday – Friday 6:00 pm to 6:00 am

**Description:**

The construction work will include saw cutting, excavation and removal of existing soil and roadway, installation of new gas pipe, backfilling and compaction of trenches and excavations, along with restoration.

**Notes:**

I can provide a contact number for our Communications representative, construction representative, and/or contractor to be contacted regarding any issues or concerns. Questions can be answered on a case-by-case basis depending on the issue or concern.

Columbia Gas of Pa would appreciate your consideration of this request. Please reach out to me if you wish to discuss this request or any follow up items via phone call, email, or in person.

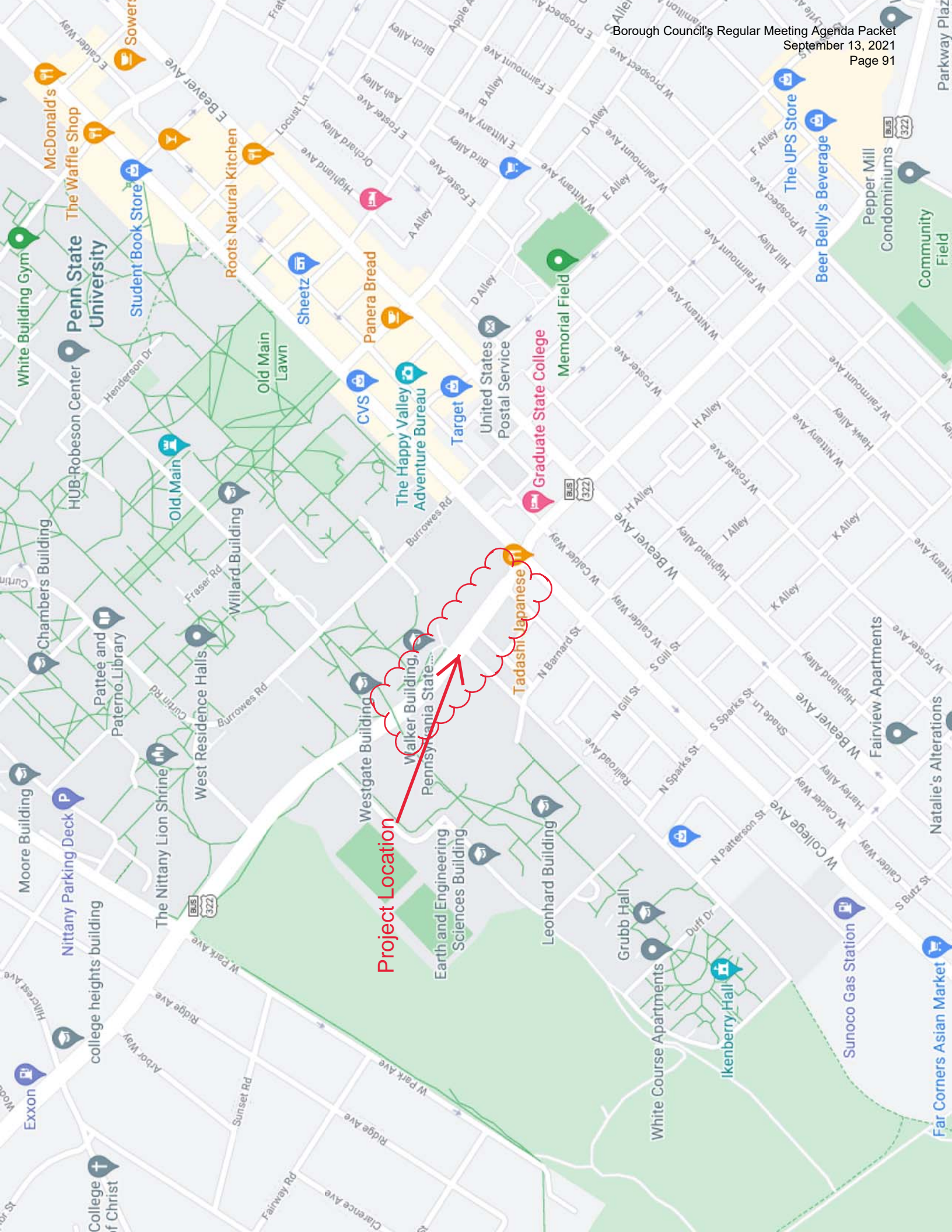
Cell: 717-515-1106

Email: LHarper@nisource.com

Sincerely,

Logan Harper

Field Engineer  
Columbia Gas of Pennsylvania



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