

**Meeting Agenda**  
**State College Borough Council**  
**Regular Meeting**  
**July 12, 2021**  
**7:00 p.m.**

*Please note: The Monday, July 12, 2021, Borough Council Regular Meeting will be a held in person and remotely for those who are unable to attend in person. Public Participation will be available only for those who have registered to attend and participate in the meeting. To learn more about participating in this meeting, please visit [https://us02web.zoom.us/webinar/register/WN\\_ikeB0CCPTGqJntx-Grlaxw](https://us02web.zoom.us/webinar/register/WN_ikeB0CCPTGqJntx-Grlaxw).*

**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**

**A. 2022-2026 Capital Improvement Plan**

The 2022-2026 Capital Improvement Plan (CIP) was distributed to Council on May 10, 2021. Council will now hold a hearing to take comments from the public. Council has reviewed the CIP during work sessions held on June 7, 14 and 21, 2021. Council will continue its review this evening, with final approval scheduled for August 2, 2021.

**B. Act 537 Sewage Facilities Plan Special Study for Plant Effluent Ozone Disinfection**

Council will hold a public hearing to take comments from the public on the Act 537 Sewage Facilities Plan Special Study Plant Effluent Ozone Disinfection. Following the hearing, Council will consider a resolution approving the plan.

## **VI. Special Reports and Proclamations**

### **A. State College Defined Contribution Pension Plan Committee Investment Lineup Change**

The Borough provides a Defined Contribution Pension Plan (i.e. 401a) and Deferred Compensation Plan (i.e. 457b) for employees. All non-uniform employees hired after January 1, 2011 are required to participate in and contribute (4.5%) to the Defined Contribution Plan. Participation in the Deferred Compensation is entirely voluntary and open to all employees.

Both plans are serviced by MissionSquare Retirement (formerly ICMA Retirement Corporation) and governed by various local, state, and federal rules and regulations. Cornerstone Wealth Advisory and Insurance Services, LLC from Erie, PA assists the Borough with some of this legal compliance and the overall fiduciary obligations of the plans. Pat Geary, AIF, is the Managing Director of Cornerstone and has served in this capacity and been an ERISA 3(21) co-fiduciary to both plans since 2016.

In 2012, Council created the Pension Advisory Board by Resolution (see attached Resolution 1075) and authorized this group to monitor investments and make changes as needed, for example. Over the last three years, Mr. Geary and the Board tracked and monitored the performance of the plan's investments utilizing a nationally recognized third-party investment analysis software (i.e. RPAG). This analysis showed that many investment funds underperformed and/or are unnecessarily expensive and should be replaced.

And Mr. Geary and the Board determined that an investment lineup change is warranted as they studied the overall impact of this underperformance and compared it to an alternative lineup (see Attachment 1) which shows that the alternative would have produced an additional \$171,318, or 1.28%, of asset valuation over this time period.

On June 15, 2021, the Board met and approved moving forward with an investment lineup change (i.e. Attachment 1) to take effect in the 4th Quarter 2021, if necessary. Federal notification requirements affect this schedule, which could take as long as sixty (60) days. [Page 9]

The Board also instructed Mr. Geary to attempt to renegotiate administrative cost reductions with MissionSquare at this time. Cost reductions will improve this situation and may eliminate the need to change investment line-ups and plan providers simultaneously.

The Government Finance Officers Association publishes a best practice that applies and supports these actions. And the U.S. Department of Labor

provides tips for analyzing certain situations (i.e. target date maturities) which we have followed.

This report is included in your agenda for informational purposes because Council is a fiduciary of the plans. No action is required.

## **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 21* is the background information.)

- A. Approve Payroll and Accounts Payable Vouchers for the month ended June 30, 2021, totaling \$2,558,923.31.

- B. Approve minutes from the following Council meetings/work sessions:

July 13, 2020	Regular Meeting	<i>Page 23</i>
June 30, 2021	Special Meeting	<i>Page 29</i>

- C. Approve the use of the Dr. Martin Luther King, Jr. Plaza, from 5 p.m. to 8 p.m., on the additional dates of Thursday, September 2, and Thursday, September 9, 2021, and Thursday, September 16, 2021, for the Downtown State College Improvement District's Live After 5 activities. [*Page 33*]
- D. Approve a Noise Waiver request for Phi Kappa Psi Fraternity (403 Locust Lane) for an outdoor concert on Friday, September 17, 2021, from 7 p.m. to 11 p.m. *with conditions*. [*Page 37*]
- E. Approve the closure of various streets and alleys from 7 a.m. to 7 p.m. from Wednesday, August 18, to Sunday, August 22, 2021, for the HERE student move-in. [*Page 41*]
- F. Approve a Resolution adopting an Act 537 Sewage Facilities Plan Update. [*Page 45*]
- G. Authorize the Borough Manager to waive § 16-704: Projections Beyond Building Line Prohibited of the Borough's Streets and Sidewalks regulations to allow an outward-swinging ADA lift entry door at the proposed Queenstown Restaurant, 142 E College Ave, to encroach approximately

36" beyond the building line to facilitate compliance with federal ADA requirements.

- H. Approve, with conditions, the closing of the 200 block of South Allen Street, between Beaver Avenue and East Foster Avenue, on Sunday, September 12, 2021, from 11 p.m. to 4 p.m. for Housing Transitions' annual Food Truck Rally. [Page 47]
- I. Approve the closing of Calder Way between South Pugh Street and South Allen Street, on July 20, August 3 and 10, from 8 p.m. to 11 p.m. for the Downtown State College Improvement District's Calder Walkway Outdoor Movie Event Series. [Page 51]
- J. Approve the closure of various roads for the 2021 Penn State home football game schedule as follows: September 11, 18, 25, October 2, 23, and November 13 and 20, 2021. [Page 55]
- K. **Approve the temporary closure of the 100 block of South Burrowes Street beginning at 7 a.m. on Monday, July 19, 2021, through 7 p.m. on Friday, August 6, 2021, to allow completion of final right-of-way work, installation of concrete bus pads at the CATA bus stops and pavement restoration as part of the James Building Replacement Project.**

**IX. General Policy and Administration – No Business**

**X. Planning and Zoning – No Business**

**XI. Parking**

**A. Amending the Vehicle & Traffic Ordinance**

Council is asked to approve an ordinance to change the Vehicle and Traffic Ordinance to incorporate changes adopted on August 7, 2017, but not incorporated into the Codification of Ordinances.

Then-Parking Manager Rick Ward proposed fine changes to Council on August 7, 2017. After discussion, the following changes were adopted:

- No Parking Within an Intersection: fine at issuance increased from \$15 to \$30
- Obstructing Traffic: fine at issuance increased from \$15 to \$30
- Unauthorized use of Handicapped-Designated Parking Space: fine at issuance increased from \$50 to \$150
- No Parking on Sidewalk: fine at issuance increased from \$15 to \$30
- No Parking Bus Stop: fine at issuance increased from \$15 to \$30

Of the changes adopted, only the Unauthorized use of a Handicapped-designated Parking Space and No Parking Bus Stop violations are in the Codification of the Municipality. The other listed violations are violations of Title 75 of the PA Code which sets the fine amounts. [Page 59]

**Staff Recommendation:** Staff recommends Council enact the ordinance to codify the actions previously taken by Council. A roll call voted is required.

**B. Temporary Suspension of Parking for Special Events**

On September 17, 2018, Council enacted Ordinance 2117, which requires the Parking Department to provide Council with the special events they are proposing to lift parking. [Page 61]

Based on historical information, Parking staff is proposing Council lift overnight parking restrictions on the following dates:

- The full week prior to the start of classes for the PSU fall semester
- Labor Day weekend, beginning 2 a.m. on Saturday and continuing through 6 a.m. on Monday
- PSU home football game weekends, beginning 2 a.m. on Saturdays and continuing through 6 a.m. on Sundays
- Thanksgiving weekend beginning 2 a.m. on Thursday and continuing through 6 a.m. on Sunday
- The period beginning 2 a.m. on December 23 and ending at 6 a.m. on January 3, 2022.

**Staff Recommendation:** Staff recommends Council approve the suspension of specific parking regulations for special events being held the remainder of 2021.

**XII. Public Safety – No Business**

**XIII. Public Works – No Business**

**A. Traffic Pattern Changes to Hetzel Street and Calder Way during construction of a new mixed-use building (Core Spaces HUB – State College) located at the corner of Hetzel Street and East College Avenue**

The developers for the project bounded by Hetzel Street, East College Avenue, and Calder Way are requesting to alter traffic patterns on various roadways and sidewalks during the project construction. Attached to the agenda are plans that show the proposed changes. [Page 63]

Two project phases are identified in the descriptions below. Demolition is scheduled for September 1, 2021, thru November 26, 2021. Construction Phase is scheduled for November 29, 2021, thru October 1, 2023.

Staff has reviewed the traffic pattern change request and has determined no major issues with this request. An agreement with the developer will include consideration for the use of public right-of-way during the closure for special-event weekends such as Penn State Football Games, Student Move in, Graduation, etc. [Page 64]

Council action is required to approve the vehicular and pedestrian traffic pattern changes on Hetzel Street, East College Avenue, and Calder Way.

Representatives of the project will be available for questions.

**Staff Recommendation:** Staff recommends approval of the changes in traffic patterns as described for a period not to exceed 25 months (September 1, 2021 thru October 1, 2023) and authorization the Manager to execute an agreement with the owner for these traffic pattern changes and consideration for the use of the rights-of-way.

#### **XIV. Diversity, Equity, and Inclusion**

##### **A. Update on Diversity, Equity, and Inclusion Programs**

There are no new items on the agenda for this meeting. Council had previously scheduled two special meetings to receive public comments on the Community Oversight Board, one of which was held on June 30 and the second one is scheduled for July 28 at 6 p.m.

On July 19, 2021, there will be a report from the Task Force on Policing and Communities of Color.

#### **XV. Official Reports and Correspondence**

##### **A. Mayor's Report**

##### **B. President's Report**

##### **C. Staff/Committee Reports**

###### **1. Green Light Go Grant**

##### **D. Student Representative Reports**

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

**XVI. Recess to a Work Session**

**XVII. 2022-2026 Capital Improvement Plan**

Council will recess to a work session to begin its discussion of the 2022-2026 Capital Improvement Plan.

A. Review of the 2022-2026 Capital Improvement Plan (CIP)

Included with the agenda packet are the CIP review comments from both the Planning Commission and Transportation Commission. [*Page 65*]

**XVIII. Adjournment**

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State College Defined Contribution Pension Plan  
Investment Lineup Change  
7/6/21

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## RESOLUTION 1075

### General Government Pension Advisory Board

#### **Section 924. General Government Pension Advisory Board.**

a. **Creation and Purpose.** A General Government Pension Advisory Board (GGPAB) is hereby created for the Borough of State College. The GGPAB shall consist of the Borough Manager, Assistant Manager, Director/Human Resources and an additional Borough employee as appointed by Borough Council, who shall serve a three-year term who may be removed at any time by Council with or without cause. The GGPAB shall be advisory to Borough Council and provide investment oversight, for the Borough of State College General Government Employees Pension Plan (Plan) including policies and practices and the performance of the Plan's investment vehicles.

b. **Authority and Responsibilities.** The GGPAB shall be advisory to Borough Council relative to investment matters including the following:

- Establishing, periodically reviewing, and maintaining a written investment policy, including investment allocation strategies.
- Reviewing and monitoring investment performance, including the reasonableness of investment fees, against appropriate benchmarks and in accordance with the investment policy.
- Selecting and monitoring recordkeeping and custody of the investments offered in the Plan's operations.
- Monitoring for reasonableness and consistency with the Plan's terms any investment product fees;
- Retaining counsel or consultants as needed to advise the GGPAB;
- Reporting to the Council investment policy changes or performance concerns.
- Overseeing administration of the Plan in accordance with the Plan's investment policy, including:
  - Selecting an appropriate number and type of investment assets classes;
  - Establishing performance criteria and benchmarks for selected asset classes;
  - Researching, selecting, and changing Plan investments as appropriate for specified asset classes or styles;
  - Monitoring Plan investment costs;
  - Ensuring the Plan comply with applicable laws, regulations, and the terms of the Plan pertaining to investments;
  - Reviewing the Plan's independent financial audit and actuarial report
  - Monitoring Plan risk.

c. **Structure and Operations.** The GGPAB shall designate one member as its chairperson. The GGPAB shall meet quarterly at times and place determined by the chairperson, with further meetings to occur, or actions to be taken by unanimous written consent, when deemed necessary or desirable by the GGPAB or its chairperson. The GGPAB may request any independent auditors or actuarial consultants or other consultants of the Borough to attend a meeting of the GGPAB or conference call.

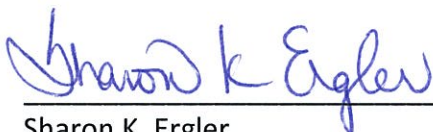
A quorum for the transaction of business of any GGPAB meeting shall be a majority of GGPAB members. Decisions shall be made by a majority of GGPAB members then serving.

At its first yearly meeting the GGPAB shall select its chairperson who shall schedule the meetings and set the Agenda for each meeting. The chairperson may elect to hold meetings jointly with the Pension Advisory Board of the Borough Police Pension Plan. Customary provisions dealing with the conduct of meetings shall apply.

RESOLVED this 19th day of November, 2012.

ATTEST:

BOROUGH OF STATE COLLEGE



Sharon K. Ergler  
Assistant Borough Secretary

By: 

Donald M. Hahn  
President of Council

Previous					
Target Date Maturity Funds					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint Milestone Retire Inc	\$304,595	12.50%	5.21%	0.26%	\$361,459.81
Vantagepoint Milestone 2015 R1	\$56,977	14.30%	10.45%	1.05%	\$72,685.51
Vantagepoint Milestone 2020 R1	\$876,313	15.35%	10.77%	1.51%	\$1,136,600.48
Vantagepoint Milestone 2025 R1	\$160,325	17.83%	11.63%	2.40%	\$215,942.44
Vantagepoint Milestone 2030 R1	\$108,272	19.87%	13.18%	3.32%	\$151,768.19
Vantagepoint Milestone 2035 R1	\$260,362	21.99%	13.70%	4.21%	\$376,332.47
Vantagepoint Milestone 2040 R1	\$271,411	23.27%	14.03%	4.78%	\$399,744.37
Vantagepoint Milestone 2045 R1	\$37,549	24.16%	14.84%	5.33%	\$56,393.02
Vantagepoint Milestone 2050 R1	\$99,716	24.43%	15.01%	5.57%	\$150,648.94
Vantagepoint Milestone 2055 R1	\$0				\$0.00
LARGE BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Invesco Oppenheimer Main Street Y	\$6,991	32.23%	14.64%	8.00%	\$11,445.35
Parnassus Core Equity Institutional	\$32,389	30.69%	21.19%	7.13%	\$54,956.34
Vantagepoint 500 Stock Index R1	\$303,544	30.28%	17.28%	5.99%	\$491,573.26
Vantagepoint Broad Market Index R1	\$124,212	29.91%	19.62%	6.09%	\$204,778.51
Vantagepoint Growth & Income R1	\$210,206	28.80%	14.79%	5.57%	\$328,099.48
LARGE GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Fidelity Contrafund K	\$218,143	29.98%	32.58%	2.49%	\$385,280.76
T. Rowe Price Growth Stock I	\$168,133	30.44%	36.55%	2.48%	\$306,898.36
Vantagepoint Growth R1	\$273,025	32.20%	35.42%	1.58%	\$496,506.44
LARGE VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Invesco Diversified DividendY	\$84,815	25.37%	0.39%	8.61%	\$115,938.20
MFS Value R4	\$67,469	30.08%	3.91%	8.66%	\$99,092.74
Vantagepoint Equity Income R1	\$379,278	23.30%	3.10%	10.81%	\$534,267.00
MID-CAP GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
AMG TimesSquare Mid Cap Growth 1	\$27,494	37.14%	33.03%	-0.15%	\$50,084.08
Carillon Eagle Mid Cap Growth 1	0	34.90%	40.21%	-1.11%	\$0.00
Vantagepoint Aggressive Ops R1	\$136,602	31.19%	32.53%	0.41%	\$238,478.35
MID-CAP VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint Select Value R1	\$0	28.61%	4.34%	13.67%	\$0.00
Victory Sycamore Established Value Y	\$92,544	28.73%	8.10%	16.40%	\$149,901.75
SMALL BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint Discovery R1	\$123,931	27.69%	19.15%	9.96%	\$207,331.66
Vantagepoint Mid/Small Co Index R5	\$13,959	26.68%	18.97%	10.73%	\$23,295.13
SMALL GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Invesco Oppenheimer Discovery Y	\$3,384	37.06%	50.40%	3.44%	\$7,215.68
SMALL VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
LSV Small Cap Value Institutional	\$0	20.25%	-6.27%	22.85%	\$0.00
DIVERSIFIED EMERGING MARKETS					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint Emerging Markets R5	\$0	20.71%	20.08%	2.38%	\$0.00
FOREIGN LARGE BLEND					

Current					
Target Date Maturity Funds					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
flexPATH+ aggressive 2025	\$1,398,210	20.84%	12.11%	2.51%	\$1,941,751.76
flexPATH+ aggressive 2035	\$368,634	24.62%	13.50%	4.32%	\$543,934.46
flexPATH+ aggressive 2045	\$308,960	26.16%	14.26%	5.10%	\$468,080.85
flexPATH+ aggressive 2055	\$99,716	26.27%	14.37%	5.16%	\$151,435.51
LARGE BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
DFA US Sustainability	\$249,586	32.52%	21.22%	13.60%	\$455,464.21
BlackRock Equity Index Fund CL1	\$427,756	31.52%	18.46%	6.17%	\$707,557.04
LARGE GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
AB Large Cap Growth Z	\$491,168	34.24%	34.46%	1.13%	\$896,571.90
T. Rowe Price Blue Chip Growth I	\$168,133	30.13%	34.90%	0.48%	\$296,566.42
LARGE VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Manning & Napier Disciplined Value I	\$531,562	26.03%	5.13%	10.65%	\$779,302.28
MID-CAP BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
BlackRock Mid Cap Equity Idx Fund R		26.19%	13.74%	13.47%	\$0.00
Thrivent Mid Cap Stock S		24.85%	21.94%	9.44%	\$0.00
MID-CAP GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
AB Discovery Growth Z	\$164,096	30.82%	53.04%	1.63%	\$333,886.63
MID-CAP VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
American Century Mid Cap Value R6	\$92,544	29.31%	1.97%	12.18%	\$136,888.90
SMALL BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
BlackRock Russel 2000 Index Fnd CL 6	\$137,890	25.66%	19.93%	12.73%	\$234,259.48
SMALL GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
JP Morgan Small Cap Growth R6	\$3,384	37.86%	59.96%	-1.07%	\$7,382.58
SMALL VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
Goldman Sachs Small Cp Val Insights R6	\$0	23.54%	0.35%	20.74%	\$0.00
DIVERSIFIED EMERGING MARKETS					
Investment	Initial Value	19 Return	20 Return	YTD	End Value
DFA Emerging Markets 1	\$0	16.03%	13.89%	4.67%	\$0.00
FOREIGN LARGE BLEND					

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July 12, 2021  
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Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint International R1	\$113,668	22.80%	10.34%	4.19%	\$160,470.65	BlackRock EAFE Equity Index Fund CL1	\$675,747	22.41%	8.24%	3.54%	\$927,036.79
Vantagepoint Overseas Eq Idx R1	\$243,883	21.01%	7.38%	3.25%	\$327,202.23	Goldman Sachs Intl Eq Insights R6	\$113,668	18.45%	7.85%	4.68%	\$152,004.75
FOERIGN LARGE GROWTH						FOREIGN LARGE GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Fidelity Diversified International	\$74,306	29.70%	18.91%	-0.08%	\$114,507.69	Vanguard International Growth Adm	\$74,306	31.48%	59.74%	-1.03%	\$154,454.59
WORLD LARGE STOCK						FOREIGN LARGE VALUE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint MP Gbl Eq Gr R3	\$431,864	25.88%	16.65%	4.72%	\$664,076.50	DFA World ex US Value Port I		14.47%	-0.41%	10.27%	\$0.00
REAL ESTATE						FOREIGN SMALL/MID BLEND					
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Nuveen Real Estate Securities I	\$69,040	25.56%	-6.12%	7.04%	\$87,110.65	Goldman Sachs Intl Sm Cp Insights R6		21.66%	7.66%	7.10%	\$0.00
ALLOCATION 30%-50% EQUITY						FOREIGN SMALL/MID GROWTH					
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Vantagepoint MP Cons Growth R3	\$55,237	13.89%	9.93%	1.23%	\$70,006.95	DFA International Small Cap Growth		25.77%	16.41%	3.23%	\$0.00
ALLOCATION 50%-70% EQUITY						GLOBAL REAL ESTATE					
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Investment	Initial Value	19 Return	20 Return	YTD	End Value
Fidelity Puritan K	\$340,624	21.25%	20.56%	4.46%	\$520,128.02	DFA Global Real Estate Securities Port	\$69,040	26.40%	-6.72%	6.14%	\$86,400.35
Vantagepoint MP Trad Growth R3	\$477,545	19.05%	13.08%	3.32%	\$664,222.98	ALLOCATION 30%-50% EQUITY					
ALLOCATION 70%-85% EQUITY						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Vanguard Wellesley Income Admiral	\$55,237	16.47%	8.54%	1.04%	\$70,554.92
Vantagepoint MP Ing-Trm Gr R3	\$815,741	22.80%	13.69%	4.67%	\$1,192,051.86	ALLOCATION 50%-70% EQUITY					
HIGH YIELD BOND						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Janus Henderson balanced	\$818,169	22.66%	14.48%	1.66%	\$1,167,953.91
PIMCO High Yield Institutional	\$97,215	14.65%	5.07%	0.00%	\$117,107.87	ALLOCATION 70%-85% EQUITY					
INFLATION PROTECTED BOND						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	American Funds Income Fund of Amer R6	\$815,741	19.27%	5.31%	6.09%	\$1,086,995.07
Vantagepoint Inflation Focused R1	108,335	7.50%	10.27%	-1.58%	\$126,391.53	INTERMEDIATE CORE BOND					
INTERMEDIATE CORE BOND						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	BlackRock U.S. Debt Index Fd CL1	\$210,365	8.82%	7.59%	-3.40%	\$237,920.16
Vantagepoint Core Bond Index R1	\$102,030	7.76%	6.49%	-3.68%	\$112,774.46	INTERMEDIATE CORE-PLUS BOND					
INTERMEDIATE CORE-PLUS BOND						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Jhancock Bond R6	\$324,110	10.50%	9.24%	-2.82%	\$380,201.04
Western Asset Core Plus Bond I	\$324,110	12.28%	9.39%	-4.53%	\$380,048.81	MULTISECTOR BOND					
MONEY MARKET TAXABLE						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Janus Henderson Multi-Sector Income I	\$97,215	11.27%	5.55%	1.26%	\$115,613.23
Fidelity Inv MM Fds Government III	\$51,771	1.83%	0.26%	0.00%	\$52,855.48	WORLD BOND-USM HEDGED					
STABLE VALUE						Investment	Initial Value	19 Return	20 Return	YTD	End Value
Investment	Initial Value	19 Return	20 Return	YTD	End Value	Janus Henderson Developed World Bond N		9.74%	9.50%	-2.52%	\$0.00
Vantagepoint Plus Fund R5	\$1,858,602	2.76%	2.53%	0.42%	\$1,966,444.39	STABLE VALUE					
VT Retirement IncomeAdvantage Fund	139,903	18.29%	12.32%	2.49%	\$190,508.19	Investment	Initial Value	19 Return	20 Return	YTD	End Value
						Vantagepoint PLUS Fund R5	\$1,910,373	2.76%	2.53%	0.42%	\$2,021,219.32
						VT Retirement IncomeAdvantage Fund	139,903	18.29%	12.32%	2.49%	\$190,508.19
Initial Value						Initial Value					
\$9,745,513						\$9,745,513					
Current Value						Current Value					
\$13,372,626.62						\$13,543,944.31					



## BEST PRACTICE

### Monitoring and Disclosure of Fees for Defined Contribution Plans

#### BACKGROUND:

In carrying out their responsibilities as fiduciaries, sponsors of state and local government defined contribution (DC) plans make decisions in the best interests of plan participants and beneficiaries. In making these fiduciary decisions, plan sponsors need to understand all the fees and expenses that are charged to the plan and to participants, and ensure that these costs are reasonable. Plan sponsors also need to give participants adequate and accurate information about the fees and expenses that affect their account balances.

The fees paid by public and private DC plans have been the focus of congressional, regulatory, and public scrutiny. In particular, the U.S. Department of Labor (DOL) has issued rules under the Employee Retirement Income Security Act (ERISA) about the disclosure and transparency of fees charged to DC plans and participants.<sup>1</sup> And while the ERISA rules are not binding in the public sector, they may provide guidance for best practices. GFOA members are encouraged to review the DOL's rules on fees and disclosures when developing these practices, as well as the following recommendations below.

#### RECOMMENDATION:

GFOA recommends that plan sponsors make sure that DC plan costs are reasonable and appropriate, compared with plans of similar size, structure, and service levels, and that they provide plan participants with meaningful and accessible information about fees and expenses. These policies and practices should ensure that plan sponsors:

1. Thoroughly review and document the process used in selecting DC plan service providers and the types of fees charged.
  1. Require service providers to disclose:
    1. **All** compensation arrangements, both direct and indirect, for themselves, their affiliates, and/or subcontractors.<sup>2</sup> Require the service provider to fully disclose such arrangements on plan websites and in plan documents and investment materials sent to participants.
    2. Fee-related disclosures should include:
      1. Investment fees, which include fees associated with management of the plans investments.
      2. Plan administration fees (including fees for record keeping, communications, education, and the plans professional advisors).
      3. Transactional fees, which include expenses charged against a participants or beneficiary's individual account (such as loans, annuities, brokerage accounts, qualified domestic relations orders, front or back-end loads or sales charges, and redemption fees).
  2. Service providers, especially providers that are experienced with ERISA plans, can help with developing disclosure policies and procedures. Plan sponsors might also want to reconsider a relationship with a provider that refuses to provide disclosures or to assist with disclosure policies and practices.
  3. Reevaluate fee disclosure practices regularly to assure compliance with applicable state and federal regulatory requirements and best practices.
2. Review and verify actual fees at least once a year to make sure the provider is not overcharging.
  1. Consider issuing a request for proposal (RFP) to ensure the plan is getting competitive fees.
  2. Consider using an independent consultant to review and report on the reasonableness of the service providers fees. Independent benchmark studies provide one way to evaluate fees.
  3. Monitor plan service providers for potential conflicts of interest at least once a year, or when there is a material changes in circumstances (such as a merger). Plan sponsors might also want to request an affidavit from the service provider that affirms there are no conflicts of interest or reveals any actual or potential conflicts.
3. Provide plan participants with meaningful and accessible information about fees and expenses at least once a year, along with other information participants need to make sound investment decisions.
  1. Fee-related information, including the role fees play in investment returns, should be disclosed and communicated in a way that non-investment personnel can understand. One way to provide this information is to send individual participants annual statements with personalized fee disclosures.
  2. Include whatever additional disclosures participants will need to evaluate the investment products offered:

## Borough Council's Regular Meeting Agenda Packet

July 12, 2021

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1. Past investment performance.
2. Risk and investment objectives.
3. Appropriate fee benchmarks for each investment category (domestic bonds, domestic large cap equities, emerging markets, etc.).
4. A glossary of terms.<sup>3</sup>
3. Provide information on Web sites for easy access.
4. Communicate fee information when participants enroll in the plan and inform them annually about how they can receive updated information.
5. Review the effectiveness of these communications regularly, perhaps using an outside consultant.

## Notes:

<sup>1</sup> See U.S. Department of Labor's Final Rule to Improve Transparency of Fees and Expenses to Workers in 401(k)-type Retirement Plans at <http://www.gpo.gov/fdsys/pkg/FR-2010-10-20/pdf/2010-25725.pdf>, and the U.S. Department of Labor's Final Regulation to Service Provider Disclosures Under Section 408 (b)(2) at <http://webapps.dol.gov/FederalRegister/PdfDisplay.aspx?DocId=25781>.

<sup>2</sup> Direct compensation is compensation received from the plan sponsor or paid directly from the participants' accounts. Indirect compensation comes from any source other than the plan sponsor, participants' accounts, or the service providers' affiliate or subcontractor.

<sup>3</sup> The Pension Protection Act of 2006 requires quarterly benefit statements to include a notice directing participants to a U.S. Department of Labor website on individual investing and diversification (<http://www.dol.gov/ebsa/investing.html>).

## References:

- U.S. Department of Labor Fact Sheet, Final Rule to Improve Transparency of Fees and Expenses to Workers in 401(k)-Type Retirement Plans, February 2012 (<http://www.dol.gov/ebsa/newsroom/fsparticipantfeerule.html>).
- U.S. Department of Labor Fact Sheet, Final Regulation Relating to Service Provider Disclosures Under Section 408(b) (2), February 2012 (<http://www.dol.gov/ebsa/newsroom/fs408b2finalreg.html>).
- Mindy L. Harris, President, National Association of Government Defined Contribution Administrators, Testimony before the House Ways and Means Committee, Hearing on the Appropriateness of Retirement Plan Fees, October 30, 2007.
- *A Primer on Plan Fees*, American Bankers Association, et al, October 18, 2007.
- *Defined Contribution Fee Disclosure Best Practices*, The Committee on Investment of Employee Benefit Assets, Association for Financial Professionals, June 2007.
- *Scrutinizing DC Plan Fees and Expenses for Transparency, Awareness and Disclosure*, The Segal Company, May 2007.





# Target Date Retirement Funds - Tips for ERISA Plan Fiduciaries

U.S. Department of Labor  
Employee Benefits Security Administration  
February 2013

*Target date retirement funds (also called target date funds or TDFs) have become an increasingly popular investment option in 401(k) plans and similar employee-directed retirement plans. The U.S. Department of Labor's Employee Benefits Security Administration (EBSA) prepared the following general guidance to assist plan fiduciaries in selecting and monitoring TDFs and other investment options in 401(k) and similar participant-directed individual account plans. Employers and other plan fiduciaries can learn more about their fiduciary responsibilities under the Employee Retirement Income Security Act of 1974 (ERISA) by visiting EBSA's website at [www.dol.gov/ebsa/compliance\\_assistance.html](http://www.dol.gov/ebsa/compliance_assistance.html).*

## Target Date Fund Basics

With the growth of 401(k) and other individual account retirement plans, many more participants are responsible for investing their retirement savings. Target date retirement funds, or TDFs, can be attractive investment options for employees who do not want to actively manage their retirement savings. TDFs automatically rebalance to become more conservative as an employee gets closer to retirement. The "target date" refers to a target retirement date, and often is part of the name of the fund. For example, you might see TDFs with names like "Portfolio 2030," "Retirement Fund 2030," or "Target 2030" that are designed for individuals who intend to retire during or near the year 2030. Because of these features, many plan sponsors decide to use TDFs as their plan's qualified default investment alternative (QDIA) under Department of Labor regulations. A QDIA is a default investment option chosen by a plan fiduciary for participants who fail to make an election regarding investment of their account balances.<sup>1</sup>

TDFs offer a long-term investment strategy based on holding a mix of stocks, bonds and other investments (this mix is called an asset allocation) that automatically changes over time as the participant ages. A TDF's initial asset allocation, when the target date is a number of years away, usually consists mostly of stocks or equity investments, which often have greater potential for higher returns but also can be more volatile and carry greater investment risk. As the target retirement date approaches (and often continuing after the target date), the fund's asset allocation shifts to include a higher proportion of more conservative investments, like bonds and cash instruments, which generally are less volatile and carry less investment risk than stocks. The shift in the asset allocation over time is called the TDF's "glide path." It is important to know whether a target date fund's glide path uses a "to retirement" or a "through retirement" approach. A "to" approach reduces the TDF's equity exposure over time to its most conservative point at the target date. A "through" approach reduces equity exposure through the target date so it does not reach its most conservative point until years later.

Within this general framework, however, there are considerable differences among TDFs offered by different providers, even among TDFs with the same target date. For example, TDFs may have different investment strategies, glide paths, and investment-related fees. Because these differences can significantly affect the way a TDF performs, it is important that fiduciaries understand these differences when selecting a TDF as an investment option for their plan.

<sup>1</sup> More information on QDIAs is available in the Department's publication "Automatic Enrollment 401(k) Plans for Small Businesses" (available at <http://www.dol.gov/ebsa/pdf/automaticenrollment401kplans.pdf>).

## What to Remember When Choosing Target Date Funds

- **Establish a process for comparing and selecting TDFs.** In general, plan fiduciaries should engage in an objective process to obtain information that will enable them to evaluate the prudence of any investment option made available under the plan. For example, in selecting a TDF you should consider prospectus information, such as information about performance (investment returns) and investment fees and expenses. You should consider how well the TDF's characteristics align with eligible employees' ages and likely retirement dates. It also may be helpful for plan fiduciaries to discuss with their prospective TDF providers the possible significance of other characteristics of the participant population, such as participation in a traditional defined benefit pension plan offered by the employer, salary levels, turnover rates, contribution rates and withdrawal patterns.
- **Establish a process for the periodic review of selected TDFs.** Plan fiduciaries are required to periodically review the plan's investment options to ensure that they should continue to be offered. At a minimum, the review process should include examining whether there have been any significant changes in the information fiduciaries considered when the option was selected or last reviewed. For instance, if a TDF's investment strategy or management team changes significantly, or if the fund's manager is not effectively carrying out the fund's stated investment strategy, then it may be necessary to consider replacing the fund. Similarly, if your plan's objectives in offering a TDF change, you should consider replacing the fund.
- **Understand the fund's investments – the allocation in different asset classes (stocks, bonds, cash), individual investments, and how these will change over time.** Have you looked at the fund's prospectus or offering materials? Do you understand the principal strategies and risks of the fund, or of any underlying asset classes or investments that may be held by the TDF? Make sure you understand the fund's glide path, including when the fund will reach its most conservative asset allocation and whether that will occur at or after the target date. Some funds keep a sizeable investment in more volatile assets, like stocks, even as they pass their "target" retirement dates. Since these funds continue to invest in stock, your employees' retirement savings may continue to have some investment risk after they retire. These funds are generally for employees who don't expect to withdraw all of their 401(k) account savings immediately upon retirement, but would rather make periodic withdrawals over the span of their retirement years. Other TDFs are concentrated in more conservative and less volatile investments at the target date, assuming that employees will want to cash out of the plan on the day they retire. If the employees don't understand the fund's glide path assumptions when they invest, they may be surprised later if it turns out not to be a good fit for them.
- **Review the fund's fees and investment expenses.** TDF costs can vary significantly, both in the amount and types of fees. Small differences in investment fees and costs can have a serious impact on reducing long term retirement savings.<sup>2</sup> Do you understand the fees and expenses, including any sales loads, for the TDF? If the TDF invests in other funds, did you consider the fees and expenses for both the TDF and the underlying funds? If the expense ratios of the individual component funds are substantially less than the overall TDF, you should ask what services and expenses make up the difference. Added expenses may be for asset allocation, rebalancing and access to special investments that can smooth returns in uncertain markets, and may be worth it, but it is important to ask.

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<sup>2</sup> A difference of just one percentage point in fees (1.5% as compared with 0.5%) over 35 years dramatically affects overall returns. If a worker with a 401(k) account balance of \$25,000 averages a seven percent return, the worker will have \$227,000 at retirement with the lower fee and \$163,000 with the higher fee, assuming no further contributions. U.S. Department of Labor, Employee Benefits Security Administration, A Look At 401(k) Plan Fees, at [http://www.dol.gov/ebsa/publications/401k\\_employee.html](http://www.dol.gov/ebsa/publications/401k_employee.html).

- ***Inquire about whether a custom or non-proprietary target date fund would be a better fit for your plan.***  
Some TDF vendors may offer a pre-packaged product which uses only the vendor's proprietary funds as the TDF component investments. Alternatively, a "custom" TDF may offer advantages to your plan participants by giving you the ability to incorporate the plan's existing core funds in the TDF. Non-proprietary TDFs could also offer advantages by including component funds that are managed by fund managers other than the TDF provider itself, thus diversifying participants' exposure to one investment provider. There are some costs and administrative tasks involved in creating a custom or non-proprietary TDF, and they may not be right for every plan, but you should ask your investment provider whether it offers them.
- ***Develop effective employee communications.*** Have you planned for the employees to receive appropriate information about TDFs in general, as a retirement investment option, and about individual TDFs available in the plan? Just as it is important for the plan fiduciary to understand TDF basics when choosing a TDF investment option for the plan, employees who are responsible for investing their individual accounts need information too. Disclosures required by law also must be considered. The Department published a final rule that, starting for most plans in August 2012, requires that participants in 401(k)-type individual account retirement plans receive greater information about the fees and expenses associated with their plans, including specific fee and expense information about TDFs and other investment options available under their plans. The Department of Labor is also working on regulations to improve the disclosures that must be made to participants specifically about TDFs. For example, in addition to general information about TDFs, the proposed regulations call for disclosures to include an explanation that an investment in a TDF is not guaranteed and that participants can lose money in the fund, including at and after the target date. Check EBSA's website for updates on regulatory disclosure requirements.
- ***Take advantage of available sources of information to evaluate the TDF and recommendations you received regarding the TDF selection.*** While TDFs are relatively new investment options, there are an increasing number of commercially available sources for information and services to assist plan fiduciaries in their decision-making and review process.
- ***Document the process.*** Plan fiduciaries should document the selection and review process, including how they reached decisions about individual investment options.

## Related Information

### From the Department of Labor:

- Investor Bulletin: Target Date Retirement Funds
- A Look at 401(k) Plan Fees
- Meeting Your Fiduciary Responsibilities
- Understanding Retirement Plan Fees and Expenses
- Understanding Your Retirement Plan Fees
- Selecting and Monitoring Pension Consultants – Tips for Plan Fiduciaries

### From the SEC:

- Beginners' Guide to Asset Allocation, Diversification, and Rebalancing
- Invest Wisely: An Introduction to Mutual Funds
- Mutual Fund Fees and Expenses

### From the Financial Industry Regulatory Authority (FINRA):

- Fund Analyzer

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**AGENDA ADDENDUM**  
**CONSENT AGENDA**  
**July 12, 2021**

**VIII. Consent Items**

Recommendation: Staff recommends that Council approve the following consent items.

- A. Approve Payroll and Accounts Payable Vouchers for the month ended June 30, 2021, totaling \$2,558,923.31.
- B. Approve minutes from the following Council meetings/work sessions:

July 13, 2020	Regular Meeting
June 30, 2021	Special Meeting

- C. Approve the use of the Dr. Martin Luther King, Jr. Plaza, from 5 p.m. to 8 p.m., on the additional dates of Thursday, September 2, and Thursday, September 9, 2021, and Thursday, September 16, 2021, for the Downtown State College Improvement District's Live After 5 activities.
- D. Approve a Noise Waiver request for Phi Kappa Psi Fraternity (403 Locust Lane) for an outdoor concert on Friday, September 17, 2021, from 7 p.m. to 11 p.m. *with conditions*.
- E. Approve the closure of various streets and alleys from 7 a.m. to 7 p.m. from Wednesday, August 18, to Sunday, August 22, 2021, for the HERE student move-in.
- F. Approve a Resolution adopting an Act 537 Sewage Facilities Plan Update.
- G. Authorize the Borough Manager to waive § 16-704: Projections Beyond Building Line Prohibited of the Borough's Streets and Sidewalks regulations to allow an outward-swinging ADA lift entry door at the proposed Queenstown Restaurant, 142 E College Ave, to encroach approximately 36" beyond the building line to facilitate compliance with federal ADA requirements.
- H. Approve, with conditions, the closing of the 200 block of South Allen Street, between Beaver Avenue and East Foster Avenue, on Sunday, September 12, 2021, from 11 p.m. to 4 p.m. for Housing Transitions' annual Food Truck Rally.

- I. Approve the closing of Calder Way between South Pugh Street and South Allen Street, on July 20, August 3 and 10, from 8 p.m. to 11 p.m. for the Downtown State College Improvement District's Calder Walkway Outdoor Movie Event Series.
- J. Approve the closure of various roads for the 2021 Penn State home football game schedule as follows: September 11, 18, 25, October 2, 23, and November 13 and 20, 2021.
- K. **Approve the temporary closure of the 100 block of South Burrowes Street beginning at 7 a.m. on Monday, July 19, 2021, through 7 p.m. on Friday, August 6, 2021, to allow completion of final right-of-way work, installation of concrete bus pads at the CATA bus stops and pavement restoration as part of the James Building Replacement Project.**

***Meeting Minutes***  
**State College Borough Council**  
**Regular Meeting**  
**Monday, July 13, 2020**

The State College Borough Council met in a Virtual Meeting on Monday, July 13, 2020, in the Municipal Building, 243 South Allen Street, State College, PA 16801. Mayor Ron 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  
                  Dan Murphy

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

Also present: Sharon K. Ergler, Assistant Borough Secretary; Thomas J. Fountaine II, Borough Manager; Thomas R. King, Assistant Borough Manager for Public Safety; Dwight Miller, Finance Director; Douglas Shontz, Communications Specialist; Terry J. Williams, Borough Solicitor; Ed LeClear, Director of Planning; John A. Gardner, Chief of Police; Roger A. Dunlap, Assistant Borough Manager/Chief Financial Officer; Genevieve Miller, Student Representative; Leann Shaw, Human Resources Director; P. Rick Ward, Director of Parking; Eric Brooks, Acting Director of Public Works; Craig Bowser, IT Manager; Maureen Safko, Senior Planner; and Borough residents virtually via C-NET and those who registered through the Zoom invitation.

**Virtual Meeting Procedure Overview**

Mr. Shontz provided a procedural overview for the virtual meeting.

**Update on COVID-19/Masking Resolution**

Mr. King provided an update on the COVID-19 Universal Masking Order and explained when and where masks were required unless you can maintain a 6' distance between yourself and the next person. He added that under the Governor's most recent order, masks were required unless you had a medical order or a disability that prohibited someone from wearing a mask. He noted there were some exceptions to the requirement such as if one were operating equipment and were unable to meet workplace safety guidelines while wearing a mask or when communicating with the hearing impaired. He commented that documentation did not need to be shown.

Mr. King said staff continued to educate persons who were not wearing masks. He added that they also were handling workplace and business masking complaints. He said they were issuing warnings at first and only issuing citations for progressive violations. If someone had a masking complaint, they were advised to call the non-emergency number for the State College Police or by emailing the Health Department.

Mr. Fountaine said that communication efforts were underway to make certain the messages put out to the public were consistent with local businesses and Penn State. In addition, he said staff had been working with Penn State on uniform masking messages to be displayed throughout State College and on campus, and these messages would be on traffic signal boxes, in parking garages, elevators, businesses, etc.

Mr. Fountaine stated that, included with the agenda packet, was a resolution drafted by the Centre County Commissioners supporting Governor Wolf's mask wearing. He said his understanding was that Council had wished to proceed with enactment.

Mr. Myers made a motion to adopt Resolution 1260 supporting the Secretary of Health's Order on wearing masks when outdoors and not able to maintain physical distance. Mr. Barlow seconded the motion.

Mr. Myers said he was happy to hear the Borough's messaging that was going out related to the pandemic and students return next week. He noted that he had attended a webinar last week and he said he had not received a warm and fuzzy feeling about the student return. He added that this past week was a dress rehearsal for the fall semester and commented that it went very poorly. He said he was very concerned about student return and what were the next steps if there was a ramp up in cases especially with more than 250 health care workers being laid off. He wondered who was going to take care of the sick. Mr. Fountaine said the resolution was patterned off what the Centre County Commissioners had adopted.

Ms. Behring said it was important for Council to move on the resolution at this meeting. She added that she was eager to see the ordinance Mr. Fountaine referenced that would have stronger regulations and better enforcement powers.

Mr. Marshall said he agreed with Mr. Myers and Ms. Behring. He added his concern was the State law did not allow local jurisdiction to allow social distancing. He asked how the regulation involving spacing was going to be enforced and he hoped people would voluntarily comply. He thought Council should move ahead with the ordinance and make it as tough as possible, but how it was enforced would be the problem. He noted the resolution outlined all the things that gave support to the Borough's ordinance enforcement.

Ms. Engeman said she shared everyone's concerns. She noted students did not want to be told what to do.

Mr. Barlow shared Mr. Marshall's concerns about enforcement. He said the resolution showed that Council agreed with what the Commissioners had done.

The motion passed 6-1 with Ms. Lafer voting against the motion.

### **Community Oversight Board Discussion**

Mr. Fountaine said staff presented a preliminary report to Council on the Community Oversight Board proposal called for in the resolution and asked Council to provide guidance to staff for drafting a plan for Council's consideration. He noted Council voted to continue its decision at this meeting. He added the timeline was very tight and Council had to enact an ordinance to establish the COB and move forward. He said a resolution had been drafted and included with the agenda and Council was asked to consider it this evening to move forward.

Mr. Marshall made a motion to adopt the resolution in support of establishing a Community Oversight Board. Ms. Lafer seconded the motion.

Mr. Murphy asked to hear from staff regarding the inclusion of all three members of the State College Civil Service Commission (SCCSC). Mr. Fountaine explained the SCCSC has been in place for many years and had been involved in the oversight of hiring and disciplinary issues within the Police Department to the extent those actions may come back to the Board. He noted the three members of the SCCSC were on the Taser Advisory Committee in 2015-16 and were credited with doing an excellent job. In addition, he said, the Task Force on Policing and Communities of Color in 2016 in their report also cited the Taser Advisory Board as an example and model for the oversight board to be considered. He said they were a diverse group of individuals familiar with policing issues who had performed well in that capacity in the past.



Mr. Murphy voiced his concern that members of the committee must be residents of the Borough and suggested it be open to those in the service area, with a minimal expansion to College and Harris Townships. He suggested it also be open to those who work in the Borough as they spent a lot of time and had possibly interacted with the Police Department. He thought that opened and diversified the expertise of those could serve on the committee.

Mayor Filippelli agreed with expanding the service areas as they were all taxpayers who paid for police services.

Ms. Behring noted the SCCSC was also tasked with upholding the veterans' preference and that was very important in recruitment and processes. She suggested there be more flexibility in the member at large appointment so Council could assure there were a diverse array of thoughts and backgrounds included. She noted the wording on Page 2 that said what at large members would be representative of. She said she was not suggesting a change in the wording, but noted it was important not to limit who was chosen as there should be a variety of groups and advocacy groups considered.

Mr. Fountaine said there would be at least one public meeting to discuss the issue Ms. Behring raised. He noted there would be broad-based input not limited to one specific group.

Mr. Marshall said in reading the resolution, he did not think any Council Member should be on the Committee as their influence would be way over and above the other members.

Mr. Engeman said she believed the requirement that members should be citizens of State College Borough was sensible. She noted College and Harris Township citizens pay taxes to their services areas and were less invested in what was occurring in the Borough.

Mr. Barlow agreed with Mr. Marshall and did not intend to appoint any member of Council to the committee. He agreed with expanding it to the whole service area to make the board more diverse.

Ms. Lafer agreed with Mr. Marshall and Mr. Barlow and did not believe the funding, legality and oversight of the police force should be handed over to someone who was not a resident of the community. She added State College had an excellent police force that needed some oversight. She said they had so much talent and experience in the community.

Mr. Myers echoed and agreed with Mr. Marshall. He recommended we strike from the resolution "not more than one member of Council" and say all members should be citizens of State College.

Mr. Myers made a motion to strike "not more than one Member of Council may be an at large member" from the main body of the resolution. Mr. Marshall seconded the motion. The motion passed 5-2 via a roll call vote with Mr. Murphy and Ms. Behring voting against the motion.

Mayor Filippelli asked for comments from the public.

Mr. Geoff Landers-Nolan, a resident of Ferguson Township, said he appreciated the resolution and saw no issue with the body of the resolution. He appreciated the clarification of the SCCSC members. He thought it was important to allow people who were under the coverage of the State College Police Department to be a member of the ad-hoc committee. He noted the purpose of the oversight was not to be hostile, but to be a part and have a voice. He said the community would be deeply affected by what the board decided.

Leslie Laing, a resident of Ferguson Township, thanked Council for the additional time to select the COB. She said she worked in the Borough and understood the limitations set forth in the resolution. She echoed the concerns of Mr. Murphy and Ms. Behring.

Mr. Murphy made a motion to amend the resolution to read "all at large members shall be residents of the SCPD service area". Ms. Behring seconded the motion.

Mr. Myers said this was a dilemma stating the argument could be this was concerning the State College Police Department so only Borough residents should be on the ad-hoc committee. However, in listening to public comments and a fellow councilman, people who live in other townships were paying for the services of the SCPD and their taxes were going for this service and coming under the jurisdiction of SCPD. He noted if they had no input, they had no representation. He said he would vote in support of Mr. Murphy's motion.

Ms. Lafer thought the Borough should be policing their own police and should be looking into this community to set it up.

Mr. Marshall did not support Mr. Murphy's amendment.

Ms. Engeman reminded everyone the discussion was about the Task Force, not the actual COB and then the Task Force would be charged with recommending who would be on the COB.

Ms. Laing said people from Ferguson Township were speaking up because they spend a lot of time in the Borough. She asked the Borough to side on the side of inclusivity and exclusivity. She said the amendment should be updated to also include College and Harris Townships, so they had the opportunity to show up.

Mayor Filippelli asked for a vote on Mr. Murphy's motion to amend the resolution to read "all at large members shall be residents of the SCPD service area".

The motion passed 4-3 with Ms. Engeman, Mr. Marshall and Ms. Lafer voting against the amendment to expand the at large service area to the residents of College and Harris Townships.

Mayor Filippelli asked for a vote on the main motion with the one being removing participation by a member of Borough Council and the other extending participation to the coverage area of the State College Police Department.

The motion passed unanimously.

### **Use of Force Policy**

Mr. Fountaine said as called for in Resolution 1258, staff would provide Council with information on the Department's Use of Force Policy.

Detective Nick Raia gave the Use of Force Presentation to Council. He gave a brief overview stating police officers in Pennsylvania were granted the legal authority to use force by Pennsylvania State Law. He said they adopted a circular use of force model and reviewed it in detail. He said every use of force, no matter what it is, must be justified. He reviewed the "Use of Force" training program that addressed the less-lethal tools such as a TASER, pepper spray (OC), baton and hand cuffs. He reviewed each tool in detail. He outlined annual department training for use of force which included scenario-based training. He concluded by discussing additional less-lethal tools used by the SCPD such as a 12-gauge bean bag shotgun, pepper ball delivery system and 40 mm grenade launcher to launch less lethal chemical agents while providing safety to the officer.

Mr. Barlow asked if an officer used OC or the baton, did they need to file a report and who determined if it was used properly. Detective Raja answered any use of force generated a report and must be associated with a Police Incident Report.

Mr. Marshall asked how many use of force reports were submitted for the Chief's review? Assistant Chief Matt Wilson answered they did not have an exact number because there are large volumes of data, but he was certain he could get Mr. Marshall a number.

Ms. Engeman asked what determined the EMS to be called. Detective Raia said the EMS was called for any taser deployment for evaluation. He added with OC spray, baton or handcuffing it was only dictated on whether an injury was present, or a person asked for assistance.

Mr. Marshall asked how many use of force reports were submitted, not for handcuffing, but more serious in nature? Assistant Chief Wilson said the data could be pulled but was not available at this moment.

Ms. Lafer commented that data should be kept on a spreadsheet for quick reference.

Mr. Ben Jones, a resident of Patton Township who worked in the Borough, noted what was verbatim in the SCPD manual was what was in Pennsylvania State Law, so it was understandable why that was the policy that was in place. If you read through it, particularly the conditions that needed satisfied to use deadly force such as a forcible felon fleeing, follows the Pennsylvania State Statute that was passed in the 1970's. He noted it was now argued by several legal experts that the PA State Statute was unconstitutional. That was strong reason to review the deadly force policy in place and change it. He noted Resolution 1258 was to support the Legislative Black Caucus and House Bill 1664 which proposed a more stringent deadly force policy in PA. He urged Council to consider replacing the current deadly force policy with the more stringent one proposed by the Legislative Black Caucus. He suggested and encouraged Council to consider implementing that reform.

Mr. Landers-Nolan shared his agreement with Mr. Jones and thanked Detective Raia for the detailed presentation. He asked if the department had a policy that required a report anytime a firearm was drawn or the pointed at a member of the public? He asked for more information about when police responded to calls such as wellness checks or other calls that do not require someone to be taken into custody. Where was the distinction aiming towards compliance vs. cross purposes of de-escalation when that might end up harming people? Detective Raia answered it was required for any officer who drew a firearm to be documented like any other use of force. He noted compliance was the most important thing and was the SCPD's goal and compliance needed to be gained one way or another.

Mr. Douglas Glanert, a resident of Patton Township, said he respected the people who worked in the law enforcement community and realized it was a lot of work and appreciated all their training. He noted he had trouble with two sentences he heard this evening. The first was a female caller who stated the Borough did not have the ability to police correctly and then someone else said yes, they can police correctly. He noted those statements were in conflict. He referenced March 20, 2019, with the incident involving an individual who could no longer speak for himself. He noted that individual had a psychological disorder and perhaps he could not respond to what was going on. He asked, with all the training the police get, was there any psychological training so they could recognize or a medical person who could have been there with law enforcement to state the individual was not being compliant? He asked if there were there any psychological training along with all the force training that could avoid something like that happening again.

Detective Raia said he could not speak on that case specifically. He noted Detective Salyards would be discussing lethal force in the next section. He only discussed State Law this evening.

Mr. Fountaine said the police did a presentation on de-escalation training at a prior meeting that he suggested Mr. Glanert view via C-Net which might answer his questions. He also noted on August 4 crisis intervention and a training policy would be discussed. Mr. Shontz noted the presentations were also available online on the SCPD website for public viewing.

Detective Adam Salyards, Community Relations and Crime Prevention Specialist and trained firearms inspector for the Department, outlined the next section. He started with two definitions within the Deadly Force – SCPD Policy. He said the first was deadly force and the second was a forcible felony. He reviewed the Pennsylvania Crimes Code that provided for the lawful and justified use of deadly force by a police officer only when he/she believed that such an action was in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury, or when he/she reasonably believed that such force was necessary to prevent the arrest from being defeated by resistance or escape; and the person to be arrested had committed to attempted a forcible felony or was

attempting to escape and possessed a deadly weapon, or otherwise indicated that he/she would endanger human life or inflict serious bodily injury unless arrested without delay. He then reviewed the SCPD Policy which stated specifically that the value of human life was immeasurable in their society and police officers had been delegated the responsibility to protect life and property and apprehend criminal offenders. He said the apprehension of criminal offenders and protection must, always, be subservient to the protection of life and the officer's responsibility for protecting life included his own. He noted the policy also stated deadly force was appropriate only to protect themselves or another from death or serious bodily injury; or to apprehend a fleeing forcible felon when all other means had been exhausted and the suspect presented an imminent risk of grave bodily harm or death to the officer or other persons. He reviewed the two Federal Case Laws that governed the use of force.

Detective Salyards reviewed the prohibited use of weapons which included when it appeared likely an innocent person might be injured unless defense of life applied. In addition, he said the playful or wanton pointing of firearms at any one or the careless or negligent use of the firearm was prohibited. He noted a police officer was not justified in using his/her firearm to fire a warning shot. He said officers could not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect was using deadly force.

He reviewed the guidelines of the deadly force training required by the Municipal Police Officers Education and Training Commission (MPOETC) for the SCPD. He noted the MPOETC required one qualification per calendar year for any firearm an officer utilized during the course of their duties and failure to meet the Commission's standards for firearms qualification would disqualify an officer from using that weapon. He noted the SCPD goes above and beyond that and qualifies the officers once every quarter. He reviewed additional MPOETC requirements in detail as well as SCPD requirements. He reviewed the SCPD required training and schedule which included five firearms trainings per year. He noted the officers also had specialty firearms training in addition to the required training.

Mr. Murphy asked for clarification of shooting from a moving vehicle and shooting at a moving target. Detective Salyards stated an example such as a domestic situation when an individual came at an officer in a moving vehicle trying to run him/her over stating in that case the policy would permit an officer to fire a weapon at a moving vehicle. Mr. Murphy asked if officers were required to provide a warning before shooting and Detective Salyards answered no.

Ms. Behring asked if officers were trained in the use of choke or knee holds. Officer Salyards explained that neck restraints had been prohibited since 1996.

Mr. Fountaine noted there was one more presentation on internal affairs and asked Council if they wished to proceed this evening or bring it back to the meeting next week. All of Council agreed to adjourn and discuss internal affairs at the next meeting.

### **Adjournment**

Mr. Myers made a motion to adjourn the meeting. The motion was seconded by Mr. Barlow and all were in favor. Mayor Filippelli adjourned the meeting at 9:36 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**  
**Special Meeting**  
**June 30, 2021**

The State College Borough Council met in a Special Meeting (hybrid – in person and virtually) on Wednesday, June 30, 2021, in the Municipal Building, 243 South Allen Street, State College, PA 16801. Council President Barlow called the meeting to order at 12:01 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; Sharon K. Ergler, Assistant Borough Secretary; Dwight Miller, Finance Director; Douglas Shontz, Assistant to the Manager; John A. Gardner, Chief of Police; Roger A. Dunlap, Assistant Borough Manager/Chief Financial Officer; Isabel Storey, Planner; and Borough residents 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 said the purpose of the Special Meeting was to receive community input on the proposed Community Oversight Board Draft Ordinance, which was something Borough Council had been discussing for some time. He commented that Council would not be discussing the proposed ordinance at the meeting. He stated that each speaker would be given up to four (4) minutes and that rule would be enforced. He said if the speakers had questions or wanted to provide written comments, they could leave their contact information or they could email [engage@statecollegepa.us](mailto:engage@statecollegepa.us).

First, Assistant Borough Manager for Public Safety Tom King provided a brief introduction and an overview of the ordinance. He reviewed each section of the draft ordinance and how the process began up to where Council was today, including the authority and powers granted; conduct oversight functions of the State College Police Department; recommended strategies for education and training in the community; focus on transparency; the implementation of a Communication's Plan; membership qualifications; backgrounds required to serve; COB roles and analysis; quarterly reviews with the SCPD and Chair and two other COB members; etc. He said the COB Ordinance would go into effect October 1, 2021.

Mr. Charles Dumas, a resident of the Borough for the last 26 years who resides at 516 North Atherton Street, congratulated Borough Council for putting all of this together. He said it had been over 30 years since he practiced law and he asked a couple of questions. First, he asked about the actual formation of the COB and its jurisdiction. He commented that he was concerned that the COB was an organization/agency that was almost totally a function of Borough Council. He questioned how that would affect the independence of the COB. He noted that in Section 4.a (Facilitate Resolution of These

Complaints) what if the complaints were not against just the SCPD but included but also included Borough Council. He said that could be important in terms of facilitating the resolution of complaints since Council would appoint the COB members and any decisions over the COB which could affect the instrumentality of the Board. He was interested in a way to create more independence or to create a general election of the COB. Mr. Dumas said that would give a better indication of potential independence if there was an advisory council composed of people who reported to the COB. Mr. Dumas said he second question was related to training. He said there was a significant lack of community input into the training and orientation. He noted some things that were missing like the Forum on Black Affairs, the National Association for the Advancement of Colored People (NAACP), the 3.20 Coalition and Black Lives Matter that should be part of the training of these people who are going to be making decisions.

Mr. Ezra Nanes, a resident of College Heights, said he appreciated everyone's work on the COB. He said he wanted to speak about the actual power of the COB and the relationship between the community and the SCPD. He said he wanted to ensure accountability and impartiality in internal investigations of the police. He commented that goodwill and trust would benefit both the department and the community. He urged Council to get behind the COB and making sure they have some real power with auditing functions and having someone sit in on internal investigations. He said that was at the core of the power. He said what if the person sitting in on the internal affairs investigation saw something that did not sit right. He asked what could be done with that finding. He also asked what reviewing closed cases and questioned why a lot of information would have to be redacted, based on how the law was structured. He questioned why everything would need to be redacted if the cases were closed. He said the COB needed to be able to see that information and who they were while maintaining confidentiality in the process. He was concerned that the ordinance was putting too many limitations on what the COB could do with the findings and what could legally be recommended by the COB. He added that until that is resolved, further investigation is needed.

Ms. Melanie Morrison, a Millheim Borough resident, said the selection of the COB membership was far more important to reemphasize how the Board could function in a way to serve those who needed it most. She said the creation of the COB was not called for by the population who were privileged but by those who use 911 as customer service. She said it was necessary to make sure the COB had as many teeth as possible. She said one item of concern was who would be selected to serve. Who would be reviewing the applicants' job descriptions, etc. to make certain that the COB members are safe and remain neutral. She added that the COB that State College starts out with needs to be the strongest possible, so items or facets of the ordinance do not go into arbitration. She said the COB needed to knock the wind out of it from the start. She commented that regarding funding, the COB needed permanent funding and needed to be a permanent fixture in the Borough. In closing, Ms. Morrison said the respect Borough officials have marginalized folks it was intended to represent.

Ms. Janet Irons, a Waring Avenue resident, said she had been a part of the Committee that had put the proposal together. She commended Council for the number of hours they had put into this so far. She said she had several concerns. First, how was the COB going to be selected. She said the draft ordinance was silent about this. She said the only place selection was mentioned was if there were vacancies. Mr. Fountaine said Council would use the normal process to fill this Board and it was Council's intention to appoint the original 9 members. Ms. Irons said her concern was that the COB was not your ordinary Authority, Board, Commission or Committee (ABC). She noted that the qualifications and categories of membership were extremely broad in terms of inclusiveness in the community. She said the outreach to fill this Board needed to be in ways that Borough Council did not normally include. She asked Council if they were concerned about systemic racism which was not mentioned in the application process which was not being used in the recruitment for other ABC's. She said it was not the Committee's intention to not do the recruitment like was usually done in the past because the COB was not like the others. She said there should be no more privileged people and the communications and appointments need to change.

Ms. Tierra Williams, a resident of Ferguson Township and Co-Founder of the 3/20 Coalition, asked who would be giving the Board their racial education and implicit bias training. She noted that the draft

ordinance mentioned the Citizen's Police Academy in one section of the ordinance, and she asked where she could find more information about the CPA. She said there was nothing in the ordinance about the Executive Director or was that the coordinator that was mentioned in the ordinance. Ms. Williams asked about the diversity of the COB and wanted to know how the selection process was going to be made. She said there were a lot of different ways to put these people on the Board and not just having an overly straight white males on the Board and she added that was the problem now. She also questioned why it was a 9-year membership. She said that was longer than a U.S. President.

Mr. Josh Portney, a resident of the Borough in Precinct 26, thanked Council for working on this the past 1 ½ years. He said he question was related to the operation of the Board. What was the statute of limitations brought before the Board. He asked how long someone could wait before bringing something up before the Board. He also asked about the notifications of the status updates and how those notifications would be done. Will they be sent out by text, emails, or telephone calls. He also asked how the COB's data would be protected.

Mr. Myers said several folks had questions, which we said at the beginning of the meeting we would not answer today. He asked when the responses to their questions would be available and added hopefully before the next public hearing. Mr. Fountaine said the responses to the questions will be provided within the next 10-14 days. He added that the responses would be published on the Borough's website on the webpage set aside for this issue.

### **Adjournment**

Ms. Lafer made a motion to adjourn the meeting. Mr. Myers seconded the motion and the meeting ended at 12:35 p.m.

Respectfully submitted,

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Sharon K. Ergler  
Assistant Borough Secretary

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Date of Submission: 6/10/2021

**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 South Fraser Street Phone: 814 238-7004  
State College PA 16801 Cell: \_\_\_\_\_  
E-mail address: leeanne@downtownstatecollege.com Fax: \_\_\_\_\_  
Other Contacts: (Primary) Lee Anne Jeffries Phone: 814 360-3744  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: see attached From: 5pm To: 8pm  
Rain Date: (If applicable) N/A From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Live after 5 No. Expected to Participate: \_\_\_\_\_

**ACTIVITY DETAIL**

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

Live music within the MLK Plaza (use of stage)  
and seating area on the corner of Fraser & Beaver - nautiques  
Does your activity require a street closure for this activity? ☒ No ☐ Yes area

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.

Date of Submission: 6/10/2021

### 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) \_\_\_\_\_ 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: 6/10/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief JG 6/14

Public Works Director EB 6/14

Risk Manager SA 6/17

Health Director BO 6/14

Parking Manager SA 6/17

Planning Director MS 6/17

Borough Manager MR 6/17

### THIS SERVES AS YOUR PERMIT

The State College Borough Council approved your application on: 6/21/2021

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.*

The Downtown State College Improvement District's event "Live After 5", planned for various dates over the Summer, was approved by The State College Borough Council on 6/21/2021. The applicant is requesting two additional dates be added for approval:

- Thursday, September 2, 2021 (5pm-8pm)
- Thursday, September 9, 2021 (5pm-8pm)
- Thursday, September 16, 2021 (5pm – 8pm)

**Conditions (if any) are as follows:** Applicant will notify affected businesses of additional dates listed above

Dear Business/Property Owner:








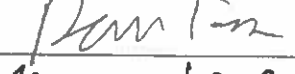
As noted below, we are planning to hold a special activity/event in the near future. As part of the State College Borough's Use of Public Property Application, we are required to notify affected business/property owners of the planned street use and/or closure(s) for our activity.

Event:	Live after 5
Event Date:	See attached 7/1; 7/8; 7/15; 7/22; 7/29; 8/5;
Streets:	MLK Plaza, Fraser Street 8/12; 8/19; 8/26
Hours of planned use/closure:	5pm - 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
	Happy Valley Adventure Bureau	06/08/2021	✓		
	CBICC	6/10/2021	✓		
	The Makery	6/10/2021	✓		
	Penn Phone Fix	06/08/2021	✓		
PP Tony Chaffari	The Cigar Den	6/10/2021	✓		
	Centre County District Justice	6/10/2021	✓		
	Reini Goldsmith & Jewelers	06/08/2021	✓		
	Signature Engraving	06/08/2021	✓		
	Duck Donuts	06/08/2021	✓		
		<del>Signature</del>			



\* NOISE  
waiver

Date of Submission: 6/17

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

Name of Responsible Sponsor: Phi Kappa Psi Fraternity

Address of Sponsor: 403 Locust Lane

Phone: 8149349915

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

E-mail address: andrew.eisel@outlook.com

Fax: \_\_\_\_\_

Other Contacts: (Primary) Andrew Eisel

Phone: 8149349915

(Secondary) Bill Baglio

Phone: 7246100764

Date of Activity: 9/17/2021

From: 7:00PM

To: 11:00PM

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

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

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

Type of Activity: Special Activity ☒

No. Expected to Participate: 600

**ACTIVITY DETAIL**

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

See attached narrative

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.

Date of Submission: 6/17

### 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: Andrew Eisel Date: 6/17/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief

JG 6/22

Borough Manager

SM 6/22

### 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.*

## **“Formally Meeting Greek Life”**

### **-Noise Ordinance Waiver Request**

It has without a doubt been a rough year and a half for the Penn State community. The camaraderie and friendships formed to last a lifetime were halted by the social restrictions that needed to be put in place by COVID. One of these affected areas was Greek Life at Penn State. As a new member of Phi Kappa Psi in 2021, I have never met my pledge class or brothers formally in person, and have yet to meet any of the other members in the Greek Life community.

This sad reality has inspired my brothers and I to host an event this fall on Friday, September 17th, 2021. We want to host a large concert featuring the French artist Tony Romera. We hope for the concert to be from 7-11PM that night. We strongly feel this event would help all members of Penn State greeklife to formally meet one another while listening to music, dancing, and socializing with men and women from other organizations.

The event would take place inside our fence which has over 4,000 square feet of usable space. Security would be hired, and we would maintain a safe environment for everyone to enjoy the night.

Phi Kappa Psi is requesting a noise waiver well in advance to ensure that there are no issues when we have a live performer outside. Before the booking process and money is paid, we wanted to ensure that the Borough of State College is supportive in our ambitious goal to bring the Penn State Community closer together after this devastating pandemic.

As an organization, we have already put tremendous effort into having a committed line up of artists from all over the world, building seating areas outside for guests, constructing a stage for the performer and working with local businesses to sponsor the event. While also actively working with the local municipality to make sure we follow all guidelines and rules to be able to host this event without any issues.

We as a fraternity are also flexible with the times in which you would allow this noise waiver to be enforced, and vow to end all performances at a time that is best not only for the event, but for the neighbors that we share this community with.

Thank you,  
Andrew Eisel

Phi Kappa Psi  
PA - Lambda Chapter

Council is being asked to approve the Noise Waiver for Phi Kappa Psi at 403 Locust Lane, for an outdoor concert on Friday, September 17, from 7 p.m. to 11 p.m. with the following conditions:

- Notify everyone within a two-block radius of the special event
- If complaints are received prior to 10 p.m. the applicant will be asked to reduce the volume of the music earlier

Please note that although the applicant has requested the event to go until 11 p.m., staff is recommending the music end at 10 p.m.





Date of Submission: 6/15/21

(re-submission)

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

Name of Responsible Sponsor: HERE PSU (Jonathan Olivera)

Address of Sponsor: 131 Hiester Street

Phone: 814-246-2027

State College, PA 16801

Cell: 401-215-7729

E-mail address: jolivera@herestatecollege.com

Fax: \_\_\_\_\_

Other Contacts: (Primary) Jonathan Olivera

Phone: 814-246-2027

(Secondary) Jennifer Beach

Phone: 412-518-8464


Date of Activity: 7/31 - 8/22 trash dumpsters From: full day

To: 7:00 PM

Rain Date: (If applicable) N/A

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

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

Type of Activity: student housing  
turnover   
student housing move-in

No. Expected to Participate: 600-900 students and parents

**ACTIVITY DETAIL**

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

7/31-8/22 we plan to have 1-2 large roll-off dumpsters on Hiester blocking parking spaces just before Beaver.

8/18 - 8/22 we would look to close Hiester between Calder and Beaver to non move-in related traffic to allow vehicles to unload.

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)

Hiester Street between Calder and Beaver would be closed from 7:00 AM to 7:00 PM from 8/18 - 8/22

Calder Way between Garner and Hiester would be closed from 7:00 AM to 7:00 PM from 8/18 - 8/22

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

6/15/21 (75th Anniversary)

Date of Submission: 5/14/21

### 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: 5/14/21

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief	<u>JG</u> <u>6/23</u>	Public Works Director	<u>EB</u> <u>6/29</u>	Risk Manager	<u>EH</u> <u>6/24</u>
Parking Manager	<u>EH</u> <u>6/24</u>	Planning Director	<u>EL</u> <u>6/23</u>	Health Director	<u>BO</u> <u>6/28</u>
				Borough Manager	<u>JK</u> <u>6/29</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.*





**RESOLUTION NUMBER \_\_\_\_\_**

**A RESOLUTION OF THE BOROUGH OF STATE COLLEGE, CENTRE COUNTY,  
PENNSYLVANIA (hereinafter the "Borough") ADOPTING AN ACT 537 SEWAGE  
FACILITIES PLAN UPDATE**

WHEREAS, Section 5 of the Act of January 24, 1996, P.L. 1535, No. 537, known as the Pennsylvania Sewage Facilities Act, as amended, and the Rules and Regulations of the Department of Environmental Protection adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the Municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the Borough, and

WHEREAS, The University Area Joint Authority has prepared an Act 537 Sewage Facilities Plan Update to amend the Centre Region Sewage Facilities Plan to upgrade the aging Ultraviolet (UV) wastewater disinfection, and

WHEREAS, The Act 537 Sewage Facilities Plan Update:

- Identifies the need to replace the current Ultraviolet (UV) wastewater disinfection system,
- Evaluates multiple alternative options for replacing the current UV disinfection system,
- Describes the selected option (replacing the UV disinfection with ozone disinfection), and
- Is consistent with the adopted Centre Region Comprehensive Plan.

WHEREAS, the Borough of State College finds that the Act 537 Plan Sewage Facilities Plan Update described above conforms to applicable zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Borough of State College does hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the Official Plan of the Borough, the above referenced Act 537 Sewage Facilities Plan Update.

ADOPTED, this 12<sup>th</sup> day of July 2021.

ATTEST:

BOROUGH OF STATE COLLEGE

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Sharon K. Ergler  
Assistant Borough Secretary

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Jesse L. Barlow  
Council President

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Date of Submission: 6/28/2021

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

Name of Responsible Sponsor: Housing Transitions  
Address of Sponsor: 217 W. N. Hwy Ave Phone: (814) 237-5508  
State College, PA 16801 Cell: (814) 441-3514  
E-mail address: kgassmann@housingtransitions.org Fax: \_\_\_\_\_  
Other Contacts: (Primary) Morgan Wasikonis (814) 404-5141 Phone: \_\_\_\_\_  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: 9/12/2021 From: 11:00am To: 4:00pm  
Rain Date: (If applicable) \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Special Event No. Expected to Participate: 100+

**ACTIVITY DETAIL**

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

8-12 food vendors, lawn games, information tables (2), auction tables (3-4), and a bounce house  
along both sides of the 200 block of S. Allen St. Set-up from 11:00am, event from 12-3pm, clean-up 3-4pm  
Does your activity require a street closure for this activity? ☐ No ☒ Yes live music in front of municipal building, conopics over several tables.

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)

200 block of S. Allen St. from Beaver Ave to Foster Ave.

How long will the street closure be in effect? From: 11:00am To: 4:00pm  
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: 6/25/2021

### 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) \_\_\_\_\_ 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:

Housing Transitions

**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: [Signature] Date: 6/22/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Risk Manager EH 6/29

Police Chief JG 6/28 Public Works Director EB 6/29 Health Director BO 6/30

Parking Manager EH 6/29 Planning Director EL 7/1 Borough Manager [Signature] 7/1

### THIS SERVES AS YOUR PERMIT

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

Conditions (if any) are as follows: updated COI

-list of food vendors two weeks prior to event

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.





[illegible]



Date of Submission: 6/28/21

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

Name of Responsible Sponsor: The Downtown State College Improvement District  
Address of Sponsor: 127 S Fraser Street Phone: 814-238-7004  
State College PA 16801 Cell: \_\_\_\_\_  
E-mail address: downtown@downtownstatecollege.com Fax: \_\_\_\_\_  
Other Contacts: (Primary) Lee Anne Jeffries Phone: 814 360 3744  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: 7/20/21 / 8/3/21 From: 8pm To: 11pm  
Rain Date: (If applicable) 8/10/21 From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Outdoor Public No. Expected to Participate: \_\_\_\_\_  
Movies (Special Activity)

**ACTIVITY DETAIL**

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

In the PNC parking lot, once cars are gone, CRPK & PNC will be showing free kids movies on an inflatable screen.

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 & Allen.

How long will the street closure be in effect? From: See dates 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.

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: 6/28/2021

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Police Chief

JG

6/29

Public Works Director

PW

6/29

Risk Manager

EH 7/2

Health Director

BO 6/29

Parking Manager

EH

7/2

Planning Director

EL

7/1

Borough Manager

MM

7/7

### THIS SERVES AS YOUR PERMIT

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

Conditions (if any) are as follows: Requires 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.



**Dear Business/Property Owner:**

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

Sincerely,

[illegible]

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Date of Submission: 6/15/2021

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

Name of Responsible Sponsor: The Pennsylvania State University  
Address of Sponsor: 201 Old Main Phone: 814.863.1111  
University Park, PA 16802 Cell: \_\_\_\_\_  
E-mail address: rro101@psu.edu Fax: \_\_\_\_\_  
Other Contacts: (Primary) Ryan Olson Phone: 814.863.1111  
(Secondary) \_\_\_\_\_ Phone: \_\_\_\_\_  
Date of Activity: see attachment From: \_\_\_\_\_ To: \_\_\_\_\_  
Rain Date: (If applicable) N/A From: \_\_\_\_\_ To: \_\_\_\_\_  
Type of Activity: Assemblage ☒ No. Expected to Participate: 100,000

**ACTIVITY DETAIL**

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

This application is for the 2021 PSU Home Football Game schedule

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)  
Please see Attachment

How long will the street closure be in effect? From: varied by kickoff time 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.

Date of Submission: 6/15/2021

### 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) Kim berly J.Fisher Title of Official: Assistant Treasurer

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

Signature Kim berly J.Fisher Date: 24-Jun-2021  
Kim berly J.Fisher (Jun 24, 2021 15:28 EDT)

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

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

**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: Kim berly J.Fisher Date: 24-Jun-2021  
Kim berly J.Fisher (Jun 24, 2021 15:28 EDT) Assistant Treasurer

### OFFICE USE ONLY: ROUTING FOR APPROVAL:

Risk Manager EH 6/28

Police Chief JB 6/28 Public Works Director EB 6/29 Health Director BO 6/29

Parking Manager EH 6/28 Planning Director EL 7/1 Borough Manager Y 7/1

### 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.*



## **Attachment for Use of Public Property Application**

### **Temporary Road Closure and Schedule for 2021 Penn State Home Football Games**

#### **1. Roads/Intersections**

- a. Park Ave (SR 3007) Fox Hollow Rd and Hospital Dr
  - i. One way westbound pregame
  - ii. One way eastbound postgame
- b. Park Ave (SR 3007) from Fox Hollow Rd to Atherton St
  - i. One way eastbound pregame
  - ii. One way westbound postgame
- c. Intersection of North Atherton St (SR 3014) and Park Ave (SR 3007)
  - i. Roads are controlled to support one way traffic on Park Ave both pre and postgame
- d. University Dr (SR 3022)
  - i. Road from University Dr and College Ave north to Park Ave is controlled to support both pre (northbound) and postgame (southbound) traffic
- e. Porter Rd and East College Ave
  - i. Roads are controlled to support one way traffic on Porter Rd both pre (northbound) and postgame (southbound)
- f. Orchard Rd from Park Ave to Puddintown Rd
  - i. This section is controlled to support pre and post-game traffic.

#### **2. Control Times**

- a. Typically control of the roads would take place at approximately 0700 on game day. The end time is dictated by kickoff. Typically, postgame traffic lasts around two hours.

#### **3. 2021 Home Football Schedule at Beaver Stadium**

- a. Blue-White Game (Not Applicable)
- b. September 11 – Ball State
- c. September 18 – Auburn
- d. September 25 - Villanova
- e. October 2 – Indiana
- f. October 23 - Illinois
- g. November 13 – Michigan
- h. November 20 – Rutgers

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## ORDINANCE \_\_\_\_\_

### AMENDING CHAPTER XI, VEHICLE AND TRAFFIC ORDINANCE, OF THE CODIFICATION OF THE MUNICIPALITY OF STATE COLLEGE TO MODIFY PARKING FINES

BE IT ENACTED AND ORDAINED by the Council of the Municipality of State College, and it is hereby Enacted and Ordained by Authority of same, as follows:

Section 1. Amend Chapter XI, Part C, Section 320, Report and Notice of Violation, to read as follows:

#### Section 320. Report and Notice of Violation.

It shall be the duty of the peace officers of the Municipality, acting in accordance with instructions by the Manager, or of other designated municipal employees acting in accordance with instructions issued by the Manager, as the case may be, and finding any vehicle parked in violation of any provision of the law or of this chapter to report:

- The State, provincial or other license number of such vehicle
- The location and nature of the parking violation
- The time at which such vehicle was noted to be parked in violation of the law or of any provision of this chapter
- Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

Every peace officer or municipal employee, as the case may be, shall also attach to such vehicle, where possible, a notice to the owner thereof that such vehicle was parked in violation of a provision of the law or of this chapter and instructing such owner to report at the Parking Office of the Municipality in regard to such violation.

Every such owner may, within 72 hours of the time when such notice was attached to such vehicle, pay to such Parking Office as a penalty and in full satisfaction of such violation the sum of \$25 (except that, for violations of Section 305.b of this Part, the sum of ~~\$50-150~~ in full satisfaction of such violation; for violations of Section 308 of this Part, the sum of \$30; for violations of Section 309 and 310 of this Part, the sum of \$25 in full satisfaction of such violation; for violations of Section 304 of this Part, the sum of \$20 and, for violations of Sections 306, 315, 316 and 319 of this Part, the sum of \$15 in full satisfaction of such violation.)

The failure of any such owner to make payment to the Parking Office within such seventy-two-hour period shall render such owner subject to the penalties hereinafter provided for violation of the provisions of this chapter or, in the case of a violation of the law, to the penalties prescribed by Sections 3352, 3353 and 3354, respectively, of the Vehicle Code.

If such owner shall, in fact, make payment after such seventy-two-hour period but before the filing of a complaint with the District Magistrate on account of such violation, the sum of \$35 shall be in full satisfaction of such violation (except that, for violations of Section 305.b of this Part, the sum of ~~\$65-165~~ shall be in full satisfaction of such violation; for violations of Section 308 of this Part, the sum of \$35; for violations of Section 309 and 310 of this Part, the sum of \$35 in full satisfaction of such violation; for violations of Section 304 of this Part, the sum of \$25, and, for violations of Sections 306, 315, 316 and 319 of this Part, the sum of \$20 in full satisfaction of such violation.)

Section 2. Amend Chapter XI, Part C, Section 321, Penalty for Violation, to read as follows:

Section 321. Penalty for Violation.

Any person who shall violate any provision of this chapter Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$20 or more than \$25 (except that, for violations of Section 305.b of this Part, a fine not less than ~~\$65-165~~ nor more than \$200; for violations of Sections 308, 309 and 310 of this Part, the sum of \$35 in full satisfaction of such violation; and, for violations of Sections 306, 315, 316 and 319 of this Part, a fine of not less than \$17 nor more than \$25) and costs of prosecution and, in default of payment of such fine and costs, to undergo imprisonment for not more than five days. The continuation of any violation of any provision of this chapter for a period of more than two hours shall constitute a new and separate offense for each successive additional two-hour period.

ENACTED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST

MUNICIPALITY 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 \_\_\_\_\_, 2021.

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

Ordinance 2117

AMENDING CHAPTER XI, VEHICLE AND TRAFFIC ORDINANCE, OF THE CODIFICATION OF  
THE MUNICIPALITY OF STATE COLLEGE TO MODIFY THE PARKING RESTRICTIONS

Be it ENACTED AND ORDAINED by the Council of the Municipality of State College, as it is hereby  
Enacted and Ordained by authority of same, as follows:

SECTION 1. Amend Chapter XI, Part C, Section 303 is hereby amended to read as follows:

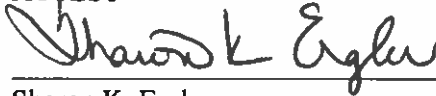
Section 303. Parking Prohibited Between 2:00 A.M. and 6:00 A.M.

- (1) Parking is hereby prohibited on all highways in the Municipality at any and all times between the hours of 2:00 a.m. and 6:00 a.m. subject to the provisions of Chapter XI, Section 303(2) and Section 303(3).
- (2) These restrictions shall not apply during special events and at other times as authorized by Council. Council shall annually approve a schedule of special events and times when the 2:00 A. M. to 6:00 A. M. parking restrictions shall not be enforced.
- (3) The restrictions set forth in Section 303(1) of this Part may be temporarily suspended by Council at any regular or special meeting for special events or other dates that were not previously approved annually by Council.
- (4) Residents on a street that is posted for no parking between 2:00 A.M. and 6:00 A.M. may be granted authorization to park vehicles on the street on a case-by-case basis between the hours of 2:00 A. M. and 6:00 A.M. subject to regulations established by the Borough Manager for the administration of this Section, provided that said authorization shall only be for the resident and their guests. No authorizations pursuant to this section shall be granted for short term rental use, any commercial use or other similar purposes other than the primary residential use.
- (5) It shall be unlawful to erect any sign prohibiting parking between the said hours, except on motion of Council at a regular or special meeting thereof.
- (6) During the period beginning January 1, 2019, and ending July 31, 2020, the Highlands Residential Parking Permit Pilot Program (HRPPPP) is hereby established as follows:
  - a. The provisions set forth in Section 303(1) shall apply at all times in the area identified on Exhibit A, The Highlands Residential Parking Permit Pilot Program area.
  - b. During the HRPPPP, residents of the Highlands Neighborhood shall be eligible to register and receive standard permits for on-street overnight parking.
    - i. A single registration is permitted for each address in the HRPPPP area.
    - ii. Residents who qualify for on-street overnight parking permits shall use the software identified by the Borough to obtain a permit.
    - iii. The standard HRPPPP may be used at any time except during the times approved by Council when the 2:00 A.M. to 6:00 A.M restrictions are not enforced in the areas outside of the HRPPPP map.
    - iv. Permits shall only be valid in designated and posted locations within the HRPPPP.
  - c. Registered residents of the HRPPPP area shall qualify to obtain a Special Event Highlands Residential Parking Permit during the times approved by Council when the 2:00 A.M. to 6:00 A.M restrictions are not enforced in areas of the Borough outside of the HRPPPP map.

- i. The Special Event Highlands Residential Parking Permit shall require a fee of \$10 per 24-hour period.
- d. The Borough Manager, or his designee, shall prepare and promulgate rules, regulations and procedures for the administration of this HRPPPP.
- e. This Section, 303(6) shall sunset and expire on July 31, 2020, unless Council acts to extend, amend or repeal the provisions of this Section prior to July 31, 2020.

ENACTED AND ORDAINED this 17th day of September, 2018.

ATTEST



Sharon K. Ergler  
Assistant Borough Secretary

MUNICIPALITY OF STATE COLLEGE



Evan Myers  
President of Council

EXAMINED AND APPROVED as an Ordinance this 3rd day of October, 2018.

  
Donald M. Hahn, Mayor

# STATE COLLEGE BOROUGH

## interoffice

### MEMORANDUM

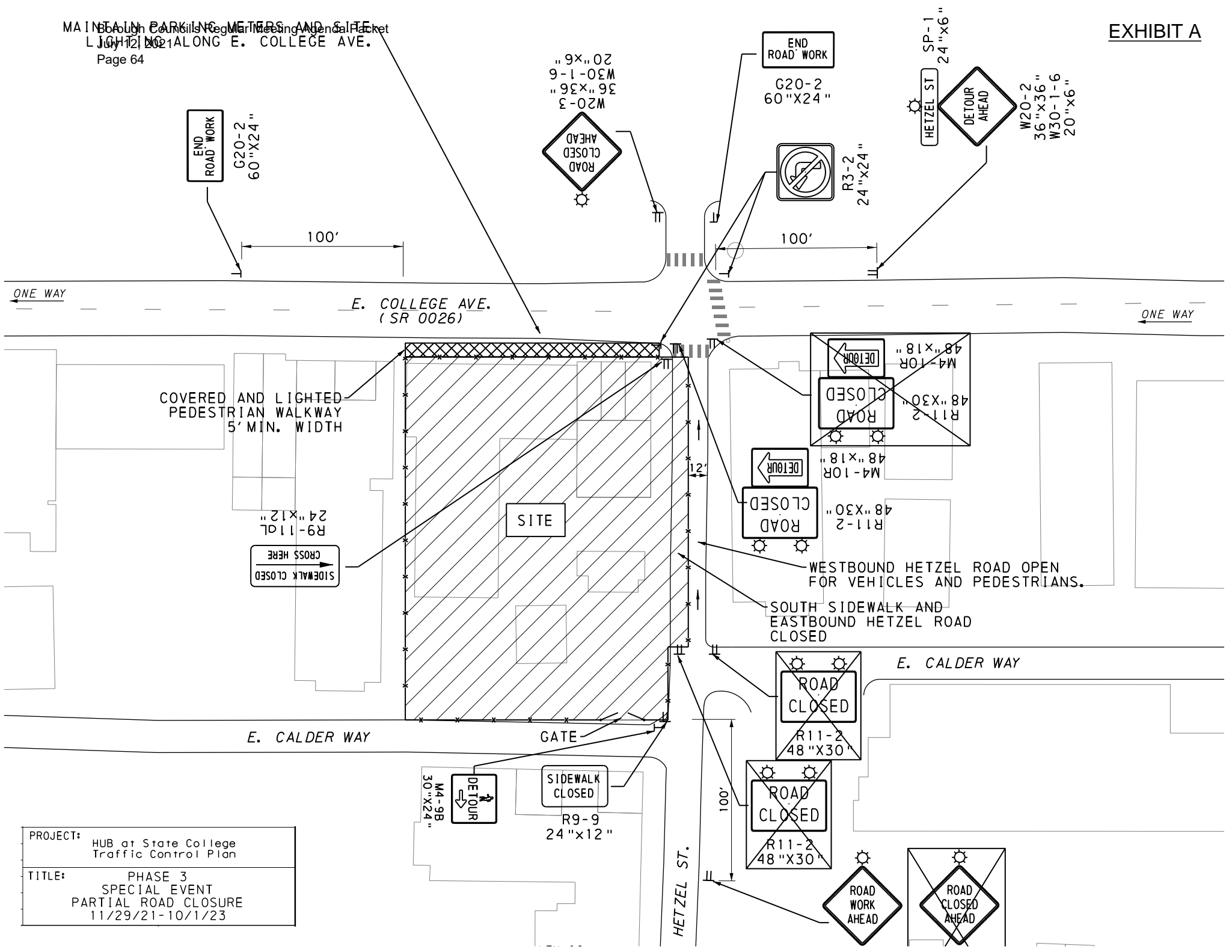
### ADMINISTRATION

**to:** Borough Council  
**from:** Thomas J. Fountaine, II, Borough Manager  
**subject:** Core Spaces HUB Agreement  
**date:** 7/9/2021

Two project phases are identified in the descriptions below. Demolition is scheduled for September 1, 2021, thru November 26, 2021. Construction Phase is scheduled for November 29, 2021, thru October 1, 2023.

1. Hetzel Street
  - a. Demolition phase – Sidewalk closure with pedestrians being diverted to the east side of Hetzel Street. No road closure at this stage, but construction vehicle access and delays are anticipated.
  - b. Construction phase – Full road closure between East College Avenue and Calder Way with construction vehicle access during typical operations for the duration of the project. One lane of Hetzel Street will be opened during special events to allow one-way traffic from East Beaver Avenue and Calder Way passage to East College Avenue. Sidewalk closure on the west side of Hetzel remains in effect for the duration of construction.
2. East College Avenue
  - a. Demolition phase – No traffic pattern changes. Partial width sidewalk closure for construction fencing but maintaining pedestrian access from Hetzel Street to Sowers Street.
  - b. Construction phase – No traffic pattern changes. A covered lit walkway will be installed adjacent to the project site to maintain pedestrian travel on the sidewalk. Five (5) parking space closures are anticipated and incorporated into the road closure agreement.
3. Calder Way
  - a. Demolition phase – Pedestrian travel will remain open on the south side of Calder Way with construction vehicle access at the site.
  - b. Construction phase – No traffic pattern changes, but construction vehicle access is anticipated for the duration of the project. Pedestrian travel will be limited to the south side of Calder Way, as it currently is.

Staff has reviewed the traffic pattern change request and has determined no major issues with this request. An agreement with the developer will include consideration for the use of public right-of-way during the closure for special-event weekends such as Penn State Football Games, Student Move in, Graduation, etc.



PROJECT:	HUB at State College Traffic Control Plan
TITLE:	PHASE 3 SPECIAL EVENT PARTIAL ROAD CLOSURE 11/29/21-10/1/23





## STATE COLLEGE BOROUGH MEMORANDUM

## PLANNING DEPARTMENT

**to:** Borough Council  
**from:** Borough Planning Commission  
**subject:** Planning Commission Comments on the  
Draft 2022-2026 Capital Improvement Plan (CIP)  
**date:** July 12, 2021

The Planning Commission reviewed the Draft CIP at its June 2, 2021 meeting and offered the following comments for Council's consideration:

- Consider having the housing affordability study expanded to include the Centre Region instead of just the Borough.
- The PC suggests adding a placeholder in the CIP for a special Census.

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## Borough of State College

### 2022 - 2026 Capital Improvement Program Review TC Comments

Date	TC Questions/Comments	Project No.	Staff Response	Council Disposition
June 8, 2021	<i>Could some improvements be done prior to 2026 in advance of the major project? Could it be made more bike friendly since it is a nice thoroughway through downtown?</i>	OP202	In the coming year a feasibility study would be completed, and the results would dictate a lot of what happens. There is the potential the work would be completed sequentially and not one large project at one time. The hope is to have a shared space including pedestrian and bicycle emphasis through Calder Way.	
June 8, 2021	<i>What is stopping some of the other pedestrian-friendly improvements such as speed bumps and signage?</i>	OP202	A generational project is set to happen over the next four years. Any efforts done now may need to be removed under that project, so it could be premature to implement any measures until the feasibility study is complete. Until that is underway, and we have the tangible numbers and larger logistical and constructability issues addressed, it is difficult to determine with accuracy the work that should be prioritized.	
June 8, 2021	<i>How long after the 4 years would it take to have any improvements implemented?</i>	OP202	Within a year's time the feasibility study will be reviewed with everyone. This is a very broad project, but in theory we could be looking at the implementation of some improvements within a year or two.	
June 8, 2021	<i>Is the DID in support of the improvements to Calder Way?</i>	OP202	This project was included in the Downtown Master Plan that included heavy involvement of the DID as well as business owners and residents. There was no indication the project would not be supported by the DID.	
June 8, 2021	Why is \$5 million slated for a project in 2022?	PF152	That is a placeholder for property acquisition as well as a multi-level parking structure for when the Pugh Garage is taken out of service.	
June 8, 2021	<i>Why is the Borough operating parking structures and parking in general? Was thought ever given to privatizing the parking structures and letting a private entity take over the cost, maintenance, and operations for public purposes?</i>	PF152	There has been conversation, but the Borough would lose control of revenue and parking fees. Staff has tried to keep parking downtown inexpensive and to lose that ability would be a key part of that. Staff tries to maintain the revenue structure so that expenses for parking only come from parking revenue and not from tax dollars.	

<b>Date</b>	<b>TC Questions/Comments</b>	<b>Project No.</b>	<b>Staff Response</b>	<b>Council Disposition</b>
June 8, 2021	<i>Is there information about who is actually parking in the Borough-owned facilities on street and off-street and where they go when they park? It would be helpful for planning purposes.</i>	PF152	Much of the parking is used by employees and a few residents have long-term lease agreements for parking. However, that is an issue that will need to be looked into long term.	
June 8, 2021	<i>What the TC would like to see is the ability to get the maximum amount of people downtown and the minimal number of cars downtown. The hope is that before a large amount of money was spent on a new parking structure, that techniques to achieve that would be explored.</i>	PF152	None.	
June 8, 2021	<i>What would the life span of a new parking structure be?</i>	PF152	Approximately 40 to 50 years.	
June 8, 2021	<i>It seems that parking management and parking pay systems are rapidly evolving and anything that can be done to make the process smooth and seamless for the user and the Borough would be a good thing.</i>	PF201	None	
June 8, 2021	<i>What is the large expenditure in 2022?</i>	PF999	That is part of a project working on for all four structures to do maintenance that is required. Part is being done now and part in 2022. This is needed to keep them in service and maintained.	
June 8, 2021	<i>What is the Borough doing to cover the shortfall of funds from 2020 and how does the Borough afford maintenance of the garages following the shortfall?</i>		The American Recovery Funds the Borough received will help build that fund balance back up.	

Date	TC Questions/Comments	Project No.	Staff Response	Council Disposition
June 8, 2021	<i>Burrowes Street between College and Beaver Avenues is in terrible condition. Is that area on slate for resurfacing?</i>	ST001	Yes, it is slated for resurfacing in 2022.	
June 8, 2021	<i>How is the decision made of which roads get resurfaced?</i>	ST002	Crews look at the physical condition and potential utility work nearby as well as usage factors. This is done throughout the Borough and the list can be extensive	
June 8, 2021	<i>The up-and-coming electric vehicles weigh more than gasoline vehicles. Trucks and busses are heavy as well. Does the Borough have any criteria they follow for building streets to handle heavier loads?</i>	ST002	This is all considered a part of the Average Daily Traffic Study on each street. Over the years the criteria and specifications for street reconstruction has been updated. This is a very good point that should be considered in the future.	
June 8, 2021	<i>This is important and if everything cannot be done, do as much as can be done and focus on Allen Street.</i>	ST142	None	
June 8, 2021	<i>In reading through the details, the term "road diet" would something wonderful to consider for West College Avenue West of Atherton Street. This area is in need of that.</i>	OP191	PennDOT would need to be brought in on this as College Avenue is a PDOT-owned highway.	
June 8, 2021	<i>With the development of the West College Corridor, are there appropriate organizational pieces in place to coordinate between the Borough and Ferguson Township?</i>	OP191	There is dialog with Ferguson Township regarding West College Avenue planning as far as land use	

<b>Date</b>	<b>TC Questions/Comments</b>	<b>Project No.</b>	<b>Staff Response</b>	<b>Council Disposition</b>
June 8, 2021	<i>The TC as a strong interest in doing as much as we can as quickly as we can to enhance pedestrian and bicycle safety. Anything that can be done in those areas will be strongly supported by the Commission.</i>	ST021	None.	
June 8, 2021	<i>Is this a scoping study to see how the Borough should be making future investments?</i>	ST022	Yes, it is an update to the current plan and study into 2022.	
June 8, 2021	<i>Trying to get the best possible handle on future pedestrian and bicycle improvements are high on the TC's priority list. We hear a lot about such issues and hope they get addressed in 2022 and get to a point where we have a common understanding of what is possible and affordable and in what order we can tackle them.</i>	ST022	None	
June 8, 2021	<i>Wooden pedestrian bicycle bridge on South Atherton Street by IHOP. Did not realize this was the Borough's responsibility. It does not seem safe and anything to make it look better and perform well would have the TC's blessing.</i>	ST184	The condition of the bridge is continuing to be monitored as it is approximately 40 years old.	

Date	TC Questions/Comments	Project No.	Staff Response	Council Disposition
June 8, 2021	<i>If funding could be secured, it would be a real enhancement to the downtown area and surrounding signalized intersections.</i>	ST223	None	
June 8, 2021	<i>There has been discussion about a transit priority phase at College Avenue and Allen Street because of the conflicts among buses, automobiles and pedestrians. Is that area a part of the Green Light Go application?</i>	ST223	That specific issue is not a part of the application. However, if the technology were put in place it would allow the Borough to move forward with that kind of project.	
June 8, 2021	<i>Concerned about the East College Avenue and University Drive grade separated crossing. Would this be an opportunity to start and continue discussion about advancing that project. The TC wanted Council to know that enhancements towards that end of town were acknowledged not to be a part of the CIP, but of great interest to the TC.</i>		That infrastructure is entirely PennDOT's responsibility, so it was suggested the TC work with the Centre Region MPO to advance the project as the quickest way since it is in PennDOT's domain.	
June 8, 2021	<i>Has there been discussions on continuing the 3-hour free parking or going back to pre-pandemic enforcement?</i>		Staff is in the process of continuing discussions and are trying to maintain the free parking as it is as long as possible to support downtown recovery from COVID-19. There are some scheduled meetings with the DID and staff is looking at some time in the middle of August as the expectation to move back to parking enforcement as fall activities spike up.	

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June 28, 2021

Mr. Eric Brooks, Acting Public Works Director  
Borough of State College  
243 South Allen Street  
State College, PA 16801

Re: Request for Temporary Closure of Burrowes Street  
Penn State - James Building Replacement Project  
**Concrete Bus Pad Installation**

As part of the construction efforts for the James Building Replacement project being undertaken by Penn State, the construction manager (L.F. Driscoll) is submitting the attached request for the temporary closure of Burrowes Street for the installation of the concrete bus pads and surrounding asphalt pavement restoration.

The concrete bus pads were requested by the Borough during plan review to be placed in both lanes at the CATA bus stops. During a site walk with the Borough, it was discussed that due to the size of the pads and the use of concrete for construction, the subcontractor (L. S. Fiore) is requesting the full closure of Burrowes Street between Calder Alley and Beaver Avenue as shown on the attached map. A complete description of the installation process is provided in the attached narrative.

The planned closure would occur beginning at 7:00 AM on Monday, July 19, 2021 and run through 7:00 PM on Friday, August 6, 2021. It is our understanding that this closure requires the approval of Borough Council. Once approved, the CM has the appropriate You Need to Know Alerts prepared and ready for distribution.

Please contact either Joe Everett at L. F. Driscoll (215.907.2339) or me with any questions you may have.

Sincerely,



David L. Peck, P.E.  
Project Manager, Design and Construction  
Office: (814) 867-2529, Fax: (814) 865-1692, E-mail: [dlp50@psu.edu](mailto:dlp50@psu.edu)

CC: Eric Brooks, John Keeler, Denise Dobo, Joseph Everett, Ken Kaighin, Jonathan Hoffman

Attachments:

- Application for Street Occupancy and Closure Layout Plan and Narrative

Application # \_\_\_\_\_

Permit # \_\_\_\_\_

## Application for Street Excavation and/or Occupancy Permit

In accordance with Ordinance #2005, a permit is required for all occupancy of or excavation work in the Borough Right-of-Way.

### Applicant Information *(Person or company securing permit)*

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

Name: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(If different than Applicant)*

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

E-mail: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

### Borough Use Only:

Date Received: \_\_\_\_\_

By: \_\_\_\_\_

☐ New Application

☐ Resubmission

Occupancy Permit - \$60.00 ☐ Received

Excavation Permit - \$150.00 ☐ Received

Surety Fee - *See below* ☐ Received

Certificate of Insurance ☐ Received

Excavation ☐ Occupancy Only ☐ Emergency Work ☐ Yes ☐ No

Dates of Proposed Work - Include hours of operation \_\_\_\_\_

Location of Work *(Full street address, block(s) or alley)* \_\_\_\_\_

If work is in alley, provide street frontage address \_\_\_\_\_

If block work, provide cross streets \_\_\_\_\_

### Type of Work *Please complete all blanks that apply*

- |   |  |
|---|--|
| <input type="checkbox"/> Leak Repair                              | <input type="checkbox"/> Crane Set         |
| <input type="checkbox"/> New Utility Service                      | <input type="checkbox"/> Tree Trimming     |
| <input type="checkbox"/> New Main                                 | <input type="checkbox"/> Driveway/Curb Cut |
| <input type="checkbox"/> Sidewalk Replacement                     | <input type="checkbox"/> Sewer Lateral     |
| <input type="checkbox"/> Replace Existing Facility                | <input type="checkbox"/> _____             |
| <input type="checkbox"/> Abandon Service                          | <input type="checkbox"/> _____             |
| <input type="checkbox"/> Landscaping/Lawn Care Service            |  |
| <input type="checkbox"/> Scaffolding (Requires Permit from Codes) |  |
| <input type="checkbox"/> Other (Explain) _____                    |  |

### Location of Construction or Occupancy

- ☐ Open Trench
- ☐ in Alley
- ☐ in Pavement - Parking Lane
- ☐ in Pavement - Travel Lane (number of lanes \_\_\_\_\_)
- ☐ in Grassplot
- ☐ in Pedestrian Sidewalk
- ☐ Trenchless Technology Type: \_\_\_\_\_

### Attached Documents - *If applicable*

- ☐ Scaled Map/Plans/Sketch
- ☐ Use Agreement/Franchise License
- ☐ \_\_\_\_\_

### Contractor Information - *Certificate of Insurance Required*

Contractor Contact: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Contractor Email: \_\_\_\_\_ Fax #: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

### Surety Required - 2018 Prices

### \*Complete all that Apply\*

### Total Surety Fee Required

#### Sidewalk Block (5'x5')

- ☐ Residential (4") \_\_\_\_\_ blks x \$300/blk
- ☐ Commercial (5") \_\_\_\_\_ blks x \$325/blk
- ☐ Driveway (6") \_\_\_\_\_ blks x \$350/blk

- ☐ Curb \_\_\_\_\_ LF x \$50/LF
- ☐ Pavement \_\_\_\_\_ SF x \$10/SF
- ☐ Grassplot \_\_\_\_\_ EA x \$100/EA

- ☐ Grassplot \$ \_\_\_\_\_
- ☐ Sidewalk \$ \_\_\_\_\_
- ☐ Curb \$ \_\_\_\_\_
- ☐ Pavement \$ \_\_\_\_\_
- Total \$ \_\_\_\_\_**



# Burrowes Street Road Closure Plan 7/19/21-8/6/21

The road closure is required to support the installation of new CATA concrete bus stops, concrete curbs and a new asphalt road paving system. The bus stops are approximately 45' long and span the entire width of Burrowes street. Upon the closure of the road, the existing curb and road system within this location will be removed. The concrete stops and gutters will then be installed. Once the concrete is place, the asphalt will be placed. The concrete will remain undisturbed until design strength is achieved which will take 7-14 days. Caulder way will remain open to vehicular and pedestrian traffic. 119 S. Burrowes will continued to use the west entrance.





ARCHITECT  
KIERANTIMBERLAKE  
841 NORTH AMERICAN STREET  
PHILADELPHIA, PA 19123  
V 215-922-6600  
F 215-922-4680  
kierantimberlake.com

CIVIL ENGINEER  
PENNONI  
2571 Park Center Boulevard Suite 2  
State College, PA 16801  
V 814-238-1170  
F 814-238-1175

LANDSCAPE ARCHITECT  
STUDIO BRYAN HANES  
340 N. 12TH STREET, SUITE 415  
PHILADELPHIA, PA 19107  
V 215.923.2858

STRUCTURAL ENGINEER  
KEAST & HOOD  
400 MARKET STREET, SUITE 1250  
PHILADELPHIA, PA 19106  
V 215.625.0099

MEP / FIRE PROTECTION  
BUROHAPPOLD  
1 PPG PLACE, 31ST FLOOR  
PITTSBURGH, PA 15222  
V 646.325.9273

CONSTRUCTION MANAGER  
LF DRISCOLL  
401 E. CITY AVENUE, SUITE 500  
BALA CYNWYD, PA 19004  
V 610.668.0950  
F 610.668.8423

IT / TELECOM  
CERAMI ASSOCIATES  
2000 MARKET STREET, SUITE 770  
PHILADELPHIA, PA 19103  
V 215.310.9766

## PSU JAMES BUILDING REPLACEMENT

### THE PENNSYLVANIA STATE UNIVERSITY

121-123 S. Burrowes Street, State College, PA 16801  
KT PROJECT NO. KT 897

#### REVISIONS

NO.	DATE	DESCRIPTION
26	4/23/2021	BULLETIN #26

#### SITE UTILIZATION PLAN

SCALE: 1"=10'  
DRAWN BY: JMM  
CHECKED BY: GRR  
CAD FILE:  
DATE: 20 DECEMBER 2019

# CS0401

ISSUED FOR CONSTRUCTION

