

**HARRIS TOWNSHIP
BOARD OF SUPERVISORS
Meeting Minutes
October 14, 2024**

Board Members in Attendance: Nigel Wilson, Chairman
Dennis Hameister, Vice Chairman
Bruce Lord – via Zoom
Frank Harden

Staff in Attendance: Mark Boeckel, Township Manager
Todd Shea, Zoning/Ordinance Enforcement Officer
Debbie Lang, Administrative Secretary

Public in Attendance: Chief John Gardner, State College Police
Dottie Yukish, Boalsburg Village Conservancy
Andrew Reed, PennTerra Engineering
Christian Horn
Van Winter, Boalsburg Fire Chief
Robin Brouse, Hometown Christmas
Annette Yorks, Hometown Christmas
Olga Levi
Jim Carpenter, Centre Region Parks & Recreation
Kristy Owens, Centre Region Parks & Recreation
Ben Estell, COG Executive Director
Kimberlee MacMullen, COG Finance Director
Jim Myers
Skip Huber
Daniel Kunselman
Janet McCracken
Debbie Lintal

**Public in Attendance
via Zoom:** Julie Gittings
Ed Satalia

1. **CALL TO ORDER:**

Chairman Wilson called the October 14, 2024 regular meeting to order at 7:00 PM.

2. **APPROVAL OF MINUTES:**

Vice Chairman Hameister moved to approve the minutes of the two September 9, 2024 public hearings the September 9, 2024 regular meeting and the September 25, 2024 regular meeting. Supervisor Harden seconded the motion. The motion passed unanimously.

3. CITIZEN COMMENTS:

There were no citizens present to discuss items that were not on the agenda.

4. NEW AGENDA ITEMS:

Pennsylvania Act 65 requires the posting of agendas on the Township website 24 hours before a meeting. Only emergency and de minimus items, and items for discussion only, can be added to the agenda by a majority vote of the Board of Supervisors.

If the Board has any items they wish to add to the agenda, they should discuss them at this time.

There were no items to add to the agenda.

5. TOWNSHIP BUSINESS:

a. 2025 POLICE BUDGET:

State College Police Chief John Gardner is present to discuss the 2025 Police Budget. The Chief is recommending we contract for 76 hours of service per week at an hourly rate of \$134.74 per hour. He is recommending those hours be split as follows: 20 hours for scheduled patrol, 14 hours for traffic/selective enforcement, 30 hours for complaint response and specific assignments and 12 hours for detective and community relations/crime prevention services.

The Township is currently contracting for 76 hours of service per week at a rate of \$121.02 per hour.

A copy of the budget was included in the agenda packet.

State College Police Chief John Gardner thanked the Board for having him here and for their support over the years. He provided the Board with a PowerPoint presentation showing the Department's mission and vision statements. He reviewed the key points of the vision statement and reviewed the core values of the department. He also showed an organizational chart of the department. Chief Garner discussed the accreditation the department has received and the grants they have also received. He discussed the goals and strategic objectives of the department.

Chief Gardner also reviewed the trainings personnel have taken and upcoming training they will be taking. He said this is a heavily trained department. He discussed departures and retirements within the department. He said there are currently 3 vacancies on the force. He discussed the department's accomplishments and notable events, responses and investigations in Harris Township. He explained the Police Social Worker Program and what that person does. He reviewed the breakdown of calls for police services in the Township and explained the difference between Part 1 and Part 2 crimes noting Part 1 crimes are the more serious crimes. He said disorderly conduct was the largest number of calls for Part 2 crimes in the Township in 2022. He also reviewed the Part 1 and Part 2 crimes in the Township from January 1, 2024 to August 31, 2024. He showed the Board a map indicating crime data and the type of criminal offense at these

locations. He reviewed the enforcement programs and the STEP program in Harris Township. He also showed the Board a map showing locations of crash data in the Township for the period from September 1, 2023 to August 31, 2024. He said the crash data is down slightly from last year. He said calls in the Township remain pretty steady through the years.

Vice Chairman Hameister suggested Chief Gardner include the department's response time and life saving efforts in one of their charts. He said often times, the police are the first responders on the scene and many times, that can mean a world of difference. Chief Gardner said that was a good point and he will look into including that in the future.

Chief Gardner said he is recommending the same number of police hours (76) in 2025 as the Township had in 2024. He said the hourly rate for regularly contracted hours will be \$134.74 per hour and \$161.69 per hour for police services in excess of the total yearly contracted hours. He noted the Borough is currently in negotiations with the Police union so these rates may change slightly.

Vice Chairman Hameister asked how much a squad car costs the department. Chief Gardner said a completely equipped squad car costs approximately \$47,000. In response to a question from Vice Chairman Hameister, Chief Gardner said the cars usually are replaced after 5 years.

Supervisor Harden asked if the Police Social Worker does follow-up work. Chief Gardner said that she does. Supervisor Harden asked how many Police Social Workers the department has. Chief Gardner said currently there is one, however, they hope to add another one soon. Supervisor Harden said this was a great program. He also asked Chief Gardner if there was anything else the Township could do to assist the department. Chief Gardner said mental health issues are through the roof and the Township providing their continued support is appreciated. He said if there was anything else they could do, he would let them know. He said the same goes for the Township. If there is anything else they need, they should let him know. Supervisor Harden thanked Chief Gardner and said the department does a great job.

Supervisor Lord said traffic enforcement is the single most complaint the Township hears from the residents. Chief Gardner said his people have heard this and are happy to assist any way they can. Supervisor Lord said speeding is our biggest concern. Chief Gardner said the department plans to make this one of their priorities in the Township. He said they are willing to set up speed details anytime the Township wants them. He said to just contact the department and they will make the arrangements.

The Board thanked Chief Gardner for his time, attendance and presentation.

b. HOMETOWN CHRISTMAS REQUESTS:

Mr. Boeckel said Boalsburg Hometown Christmas will be held on Saturday, December 7th. The Hometown Christmas Committee are making several changes for this year's event, including carriage rides from 1 PM – 5 PM and a live reindeer exhibit in the Township Parking Lot from 1 PM – 4 PM. The mailbox for Santa will be placed on the Diamond in the Township's right-of-

way for the duration of the holiday season. The Committee is also asking for additional road closures to accommodate vendors and visitors.

The Hometown Christmas Committee is requesting the closure of Main Street from the eastern end of the Diamond to Tennis Alley, and Church Street from Rockeys Alley to Chambers Alley for the tree lighting on December 7th from 3:45 PM to 6:45 PM. They are also requesting the use of the Boalsburg Fire Police for traffic control for the event.

Annette Yorks said there is a slight change in the time for the carriage rides and they will be from Noon – 4 PM. Ms. Yorks said there is a thing called “Meg’s Star” they wanted to talk about. She said because it was given to Hometown Christmas, they were wondering if there is a possibility it can go where the flag goes for Memorial Day. If it can be put up between flag poles. It is made with PVC pipe and is large and heavy. Robin Brouse said Mark and Tracey Boring had this star on their tree for many years and then their tree had to be taken down. She said the story behind this star is there was a woman with failing health and she just wanted to see a star. The Boring’s donated it to Hometown Christmas. She said their goal originally was to try and get it on the holiday tree, but that tree will not be able to hold that light. She said they are trying to maintain this memory so that is why they are asking to do this. She said this just came up today when they realized the tree is not going to be able to hold the star. Supervisor Harden said we should probably ask Mr. Addleman if this was feasible. Mr. Boeckel said he will check with him on this.

Supervisor Harden moved to approve the closure of the Main Street from the eastern end of the Diamond to Tennis Alley, and Church Street from Rockeys Alley to Chambers Alley on December 7th from 3:45 PM to 6:45 PM for the tree lighting and approve the use of the Boalsburg Fire Police for traffic control for the event. Vice Chairman Hameister seconded the motion. The motion passed unanimously.

c. BOALSBURG CONSERVANCY – REQUEST FOR FUNDING FOR 2025 COMMUNITY EVENTS:

Mr. Boeckel said the Boalsburg Village Conservancy submitted a request for financial support for community events in 2025. The Conservancy is requesting \$4,750 in support, which will be utilized as follows:

- Memorial Day - \$3,000 for EMS services, \$750 for the 6 PM service
- Hometown Christmas - \$1,000 for lights and greens for streetlights

Dottie Yukish, President of the Boalsburg Village Conservancy, was present to discuss the Conservancy’s request and answer any questions.

Dottie Yukish said they have put a number of measures in place to hold down the costs. She said in the past, the lights and greens were cut down from the poles and thrown away. She said last year, the lights were carefully removed and saved and that has saved money. There were only a few strings of lights that were not useable. She said they have also contacted another vendor regarding purchasing of the greens. She said the costs for the greens have risen significantly

over the years and the new vendor has given them a price upfront which is something they couldn't get before. And it is considerably lower than what they have paid before. She said the only thing on their request that might increase would be the County EMS fee. She said they have no control over the EMS fee.

Supervisor Harden said last year when we talked about this, we asked if we could see the financials for the Conservancy. He said we were promised we would see them this year and he would like to see that prior to the budget meetings. Ms. Yukish said she will get them to the Board. She said she is very proud of her Board. They have all worked very hard and have gotten them way out of the red and into the green. She said they are finally at the point where they can do what they are supposed to do as a Conservancy which is to preserve the history and traditions of the Boalsburg village.

Supervisor Harden said he and Mr. Boeckel discussed some items while they were at the PML conference last week. He said there are a lot of grants out there to preserve historical buildings, etc. but you need to have a plan in place of what you want to do.

Ms. Yukish said she wanted to personally thank Mr. Boeckel for all his support. She said they just had their Board meeting yesterday afternoon and Paula Ralph has done a fantastic job identifying what work is needed in the blacksmith shop. She has inventoried the tools and identified those that need work to be restored. She said they voted yesterday to provide \$800 to that inventory project.

Vice Chairman Hameister told Ms. Yukish not to cut themselves short on \$4,750. He said that it is bare bones and don't look at that as minimum. He said he is going to add some to that. Ms. Yukish thanked Vice Chairman Hameister but said she thinks that will do it. Ms. Yukish said they received a \$3,500 grant from the Happy Valley Adventure Bureau that has helped them tremendously. Vice Chairman Hameister said we give the museum a pretty nice amount compared to what she is asking for. She thanked the Board for their time and consideration. She also invited the Board and all those present to their annual meeting to be held at the Boalsburg Fire Hall on November 10th at 2 PM. She said the actual Board meeting will be very short, however, following a short business meeting, Randy Ploog will be hosting a game of "Jeopardy: The Boalsburg Edition". She said participants need not be Boalsburg history experts or current Conservancy members. She said there will not be any trophy or award at the end of the game but there will be bragging rights. She said light refreshments will be served.

This item will be considered by the Board at their budget meetings.

d. REQUEST TO AMEND THE INDUSTRIAL ZONING DISTRICT TO PERMIT INDOOR RECREATIONAL FACILITIES:

Mr. Boeckel said at the August 12th meeting, Centre Elite Gymnastics presented their request for an amendment to the General Industrial District to add Indoor Recreation as a permitted use. Centre Elite Gymnastics is interested in constructing an indoor recreation facility at the Boalsburg Technology Park, which is located within the General Industrial District. The request was discussed by the Planning Commission at their August and September meetings.

Mr. Boeckel said Staff received an email today from a representative from Center Elite withdrawing their request. He said we also received another email from one of the property owners of the Industrial Park asking the Board to still consider the request to allow for more options in the Industrial district.

He said if the Board wishes to continue pursuing this and they are satisfied with what has been prepared, we will need to have that sent on to Centre Region Planning Commission for their review before the Board could hold a public hearing for adoption. It was the consensus of the Board to continue with this request.

Centre Regional Planning Agency (CRPA) staff reviewed several municipal ordinances to identify best practices and definitions of indoor recreation uses and presented that information to the Planning Commission at their September 16th meeting. The CRPA found that permitting this type and scale of use in the Industrial Zoning District is appropriate. When municipalities consider permitting industrial uses, they consider a range of regulations to balance economic development with environmental protection, public health, and community welfare. Requiring landscaping to mitigate visual and environmental impacts; setbacks, and buffers to ensure a reduction of impact on neighboring properties; and parking, access, and traffic management standards to ensure safe and efficient transportation flow have all been considered in Harris Township's Industrial Zoning District regulations. Given that this industrial district has been planned for the most intensive uses that Harris Township permits, it can accommodate the scale and intensity of Indoor Recreation Facilities.

In addition to permitting Indoor Recreational Facilities in the General Industrial District, the Planning Commission recommended that a definition be established for "Indoor Recreational Facility" as well as "Amusement Enterprise." While the Township's Zoning Ordinance permits Amusement Enterprises in the General Commercial (C1) and Village Commercial (VC) zoning district, there is no definition for the use. The proposed definitions are as follows:

Indoor Recreational Facility: A building containing indoor recreational structures. Such recreational structures shall be used for athletic or fitness purposes and shall not include uses typical of an amusement enterprise, as herein defined.

Amusement Enterprise: The provision of entertainment or games of skill to the general public for a fee, such as arcades, billiard tables, bowling alleys, skating rinks, miniature golf courses, or other similar businesses or activities.

Establishing both definitions will ensure that appropriately scaled uses are permitted within the Industrial Zoning District.

Supervisor Harden said in the definition for an Amusement Enterprise, it says "... games of skill to the general public for a fee..." and he wondered if they are having a tournament and people are charged to get into the tournament, would that be considered a fee. Mr. Shea said the tournaments and competitions they would be having would be things that they would typically be having at the facility and it wouldn't be any of the things considered an Amusement Enterprise.

Vice Chairman Hameister asked about the climbing wall that is there now and if that would have been considered an Indoor Recreational Facility. Mr. Boeckel said he thinks it definitely could have been if we had that definition. We currently don't have that defined in our ordinance. He said the Planning Commission did discuss whether or not that should be added as a permitted use in the General Commercial district since that is where the climbing wall is currently at. Supervisor Harden said he thought that use was a permitted use in the General Commercial district. Mr. Boeckel said that it is, but we don't actually have that defined. Mr. Boeckel said the Board could add it as a permitted use in General Commercial if they wanted to add that to the ordinance, as well. The Board did not have a problem with adding this to both districts.

Supervisor Lord said he was not sure why the fee was relevant. He said if someone wants to put in a bowling alley that is free, it has the same impact. He said he didn't think we even had to specify "for a fee".

Mr. Shea said CRPA did most of the work on this particular item and it is Staff's understanding that they took the definitions from other municipalities and that is pretty much how they define it in their ordinances. He said leaving it so that it is open to someone who wants to do it without charging a fee or someone who wants to charge a fee but if we leave it open, then those who want to be community minded and not charge a fee.

Supervisor Harden moved to approve the definitions and adding Indoor Recreational Facility as a permitted use in the General Industrial District, the proposed ordinance will be forwarded to the Centre Regional Planning Commission for review and a public hearing for potential adoption will be scheduled for November 11, 2024. Vice Chairman Hameister seconded the motion. The motion passed unanimously.

e. SHINGLETOWN ROAD MINOR SUBDIVISION PLAN:

Mr. Shea said on September 10, 2024, staff received from PennTerra Engineering a minor subdivision plan for the former Ishler property located near the end of West Main Street. The plan proposes to create 6 total lots, 4 with access onto West Main Street and 2 with access onto Shingletown Road, that will be served by public water and sewer. The property is zoned Single-Family Residential (R-1).

Two reviews of the plan have been completed, the second of which was included with the agenda as well as a plan sheet showing the proposed lots. A few outstanding comments remain but it is believed that they can be addressed in a timely fashion.

One waiver request has been submitted. Chapter 12-7.10.(6) of the zoning ordinance requires pedestrian and bicycle access for developments within the Corridor Overlay District (COD). A copy of the waiver request was included with the agenda.

Vice Chairman Hameister questioned the fire hydrant location. Mr. Shea said Staff has been working with PennTerra on this and lots 1 and 2 will be served by the closest fire hydrant. The fire hydrant ordinance says that measuring along the right-of-way of the streets back through the lot, you can't have a distance of greater than 600 to the back edge of any structure that can be

built that is in excess of 15,000 square feet. He pointed out a red line on the plan showing where that distance is on both those lots. He said the developer, Olga Levi, has said she can live with that so that comment has been satisfied for us. A revised plan will show the rear setback line for these two lots moved to address that requirement. Vice Chairman Hameister asked how do we sit with fire hydrants for lots 5 and 6 on Shingletown Road. Mr. Shea said there is a hydrant on Lynnwood that is more than capable of reaching both those lots.

Supervisor Harden moved to approve the waiver request. Supervisor Lord seconded the motion.

Vice Chairman Hameister said with our interest in doing sidewalks in the Village and wherever we can put them, he asked how this would fit into our larger plan of doing sidewalks. He asked if this would be a separate satellite sidewalk issue. Mr. Shea said he believes where the bike path and pedestrian path would typically be is out along Shingletown Road. He said he thinks what the people that have been in to talk to the Supervisors about is having sidewalk connections down Main Street. He said he did not think these two were specifically related. Supervisor Harden said we currently do not have sidewalks on that section of West Main Street.

Mr. Shea pointed out there was one correction to the agenda. He said it was Chapter 12 and it is Chapter 11. He said the Board obviously can't waive Chapter 12. Chairman Wilson called the question.

The motion passed unanimously.

Supervisor Harden moved to approve the Shingletown Road Minor Subdivision Plan contingent upon satisfactory completion of comments from the October 4, 2024 letter of the Township Engineer, the October 4, 2024 memo of the Centre Regional Planning Agency, the October 4, 2024 email of the Boalsburg Fire Chief, and the October 8, 2024 letter of the Zoning Officer. Supervisor Lord seconded the motion.

Supervisor Harden said he had some comments and concerns with this. He said we have had issues with the Main Street/Route 45 intersection for years now and it is very dangerous. He said adding two more lots that enter onto that road concerns him. He said he would like to see the traffic study and not just how many but are we getting to the point where we need a red light there. He said he is also interested in hearing what PennDOT has to say about this. He said he doesn't want to give this plan final approval until we see the traffic study and hear from PennDOT. Mr. Shea said the Board can tell from the Staff review comments that the scope of the traffic study is yet to be determined and he said we have also asked the developer to provide us with a copy of the Highway Occupancy permit from PennDOT that is approving the access or accesses out onto Shingletown Road. He said it is entirely possible that PennDOT will tell them they have to have a shared access rather than two separate driveways. That will be entirely up to PennDOT. He said the Township Traffic Engineer will also review it to see if there is anything that concerns him. Vice Chairman Hameister asked if mail is delivered in this area because that will also add vehicular trips to the area. Mr. Shea said he thinks they probably have delivery but he is not sure too many have direct access onto 45.

The motion passed unanimously.

f. REQUEST TO UPDATE SWIMMING POOL REGULATIONS:

Mr. Shea said on September 27, staff received from two Township residents a written request to amend the zoning ordinance related to the standards applicable to swimming pools. The current regulations require the walls of above-ground swimming pools to be at least 4 feet high or, in the alternative, a fence of at least 4 feet in height must surround the pool. In-ground swimming pools simply require a fence of at least 4 feet in height to surround the pools. Gates in the fences must be self-latching and lockable and gaps in such may not exceed 6 inches.

According to the request, the Centre Region Code Administration (CRCA) changed the regulations pertaining to swimming pool fencing in 2015 to allow automatic swimming pool covers complying with ASTM F1346-91 to be substituted for fencing when in-ground pools are proposed. The emails from the residents, which were included with the agenda, further describes the request.

Staff contacted CRCA for information about the pool cover regulations. Tiffany Baker responded with information that the change was made in the building code in 2015 and that the State College Borough, Ferguson Township, and Halfmoon Township allow for safety covers in lieu of fencing. She further offered that College Township requires fences but makes exceptions for covers if CRCA verifies code compliance. Additionally, Patton Township and Bellefonte Borough require fences regardless of whether an automatic cover is proposed according to Ms. Baker, which is the current situation in Harris Township.

Supervisor Lord said a fence is more or less going to be there. He said it is kind of a passive protection if you have an automatic shutting gate that shuts. He said a pool cover requires someone to actively make a decision to push a button to cover the pool. He said to him, he is not sure that it provides the same level of safety.

Janet McCracken said she was one of the residents who submitted this request. She said she thought of that very question that Supervisor Lord raised. She said they have grandchildren who will be playing in this pool and they wanted to make sure it was safe. She said she learned about the option not to have a fence from State College when they were going through the process of getting their building permit. She said what they said made the difference to them in adopting this was they have seen so many fences are automatically closed but people prop them open. She said the person she talked to said there is a margin of error in whatever you do. She said he told her they felt comfortable with these specified approved covers and that they were going to be as safe as a fence would be.

Supervisor Harden said the crux of the problem is there is no guarantee that someone will push that button or not prop the fence. He said he has some reservations on this. He said he feels we need more information on this and get some good feedback on it. He said he has had a pool for forty years, so he is not an anti-pool person. Ms. McCracken said she appreciates his consideration.

Chairman Wilson said it is interesting that Centre Region Code has approved these things and they have to be acceptable to state-wide building codes so there are some statistics behind this.

Supervisor Lord said propping open an automatic gate is a conscious decision; failing to press the button to cover the pool is an unconscious decision. He said he would like some more statistics.

Ms. McCracken said she could help the Board find those statistics if that would be helpful. She said the International Code has approved it, the National Code, State College, Ferguson, Halfmoon so it is not without discussion.

Vice Chairman Hameister moved to forward this request to the Planning Commission for review and recommendation. Supervisor Harden seconded the motion. The motion passed unanimously.

g. SIGN ORDINANCE REQUESTS FROM THE PUBLIC:

Mr. Shea said the sign regulations were amended by Ordinance No. 365 in June of this year. Among the changes to the ordinance was the establishment of the personal message sign that is allowed, permit-free, in any zoning district so long as it is not bigger than 5 square feet in area, is on private property, and does not contain any commercial advertisement. A maximum of three (3) personal message signs are allowed per property.

As it is now election season, many properties have displayed more than 3 personal message signs, most of them within the street rights-of-way. Upon receiving complaints about such signs, staff has contacted property owners to make them aware of the regulations applicable to personal message signs. Everyone staff has contacted has communicated that they believe a maximum number of 3 personal message signs is inadequate when such signs are meant to support political candidates – it is not unusual for residents to support more than 3 candidates, especially with so many races being contested in local, state, and federal levels of government. Additionally, staff has received some concern that the 5 square foot size limit is prohibitive, particularly for larger properties and for those properties adjacent to streets with considerable street right-of-way widths.

Staff is aware that other sign ordinances across the State have regulations that permit a higher number of personal message signs with some having no limit on the number. Similarly, other regulations reviewed have allowed personal message signs of varying size – some regulations allow only smaller personal message signs and some allow larger personal message signs. The regulations Harris Township ultimately adopted were the result of lengthy discussions about both personal message sign numbers and sign areas.

Supervisor Harden said if he recalls correctly, our new ordinance says there can be no signs in the right-of-way but signs on private property are allowed. He said size you would have to do a lot of lobbying to get him to go move above 5 square feet. He is happy with that size. He said as far as the number of them goes, if you want to put 1,000 signs on your personal property, he

doesn't care. It's going to make your property look ugly. He said if you want to make your property look ugly, he didn't have a problem with that.

Vice Chairman Hameister said Supervisor Harden pretty much reflected what he was thinking.

Daniel Kunselman said he is here on behalf of the Centre County Republican Committee and he distributed a letter on behalf of the Centre County Republican Committee. He said it is a letter from the General Council of the Pennsylvania Republican Party stating that any limitation on political speech on private property is a limitation on the first amendment and is entirely unconstitutional. He said there are 8 positions on the ballot this cycle. He said he didn't see how 3 signs are adequate to show your support for the people you want to vote for. He said this letter cites several different previous court cases all the way up to the Supreme Court as to why this is a violation of the first amendment. Vice Chairman Hameister said his initial thinking was one sign per position. Supervisor Harden said our ordinance was amended due to a Supreme Court decision. He said we had two choices to do what we did here or allow anything, regardless of vulgarity or derogatory signs or nasty signs. Mr. Kunselman said he didn't see how any limitations, regardless of the vulgarity, even though he understands the Board doesn't want it, but it is also a personal morality question of just regulating your own speech. He said he didn't see how that was a township, state, community or federal government's place to tell anyone what they can put on it. Chairman Wilson said the Township did receive a letter from the Republican Party's attorneys and our attorney has responded. He said our sign ordinance was crafted and was checked by our attorney to ensure that it did not violate any political speech. It treats all signs as equal, political or not. Chairman Wilson said when we enforce, it will be across the Board.

Christian Horn said he is a Harris Township resident and he appreciates all the Supervisors and what they do. He said he appreciates the context behind when this ordinance was updated in June. He said he agrees that both sides should be allowed to freely advocate for their political candidates regardless of the number of candidates. He thinks that how the ordinance was written looping this into the same category as yard sale signs or other personal messages maybe was not the best way to do it. He thinks maybe updating the ordinance to have this as its own category, especially for election signs, would provide more protection for the Township. He said the Township should allow Harris Township to advocate for their candidates. He said in his research, he has seen other townships do day limits where political signs could only be up so many days before the election and must be taken down so many days after. Then you can have what you want up there. That is our first amendment and that is why they are here. He said he thinks when you start to target signs on how big they are or how many you can have, that is a problem. He said the Board is a regulatory Board. They make the ordinance and they can change it. He said he didn't think the Board wanted to be in a position where they are making a decision. He said the Township should just allow the residents to advocate for their political candidates regardless of number or size. Supervisor Harden said we did ask our Solicitor if we could do political signs separately and we were advised we could not. Mr. Boeckel said it was something we definitely asked for clarification on because we had to make our ordinance not content based so we couldn't call out content specifically. Supervisor Harden said he felt we could revisit the quantity of signs. In response to a question from Vice Chairman Hameister, Mr. Shea said the old ordinance did have

a limit on days but in the new ordinance, since there are considered personal message signs, we do not have any such limitations.

Skip Huber thanked the Board for their time. He said he has a property at Bear Meadows Road and 322. He said he has his signs on his property and they are up high enough but far enough way from the road that a 5 square foot sign would barely be seen by the traffic. He said if the Board wants him to facilitate their 5 square feet, that is 720 square inches, and if the Board wants that and they want to nitpick, he will do that. But that would mean he could have his two signs 720 square inches, which would be one foot by five foot on one, which would be Trump and the other would be 3.5 feet by eighteen inches, which would be another 720 square inches for his Trump/Vance sign. He said if that is the case, he asked how the Board would want him to designate or delineate that sign because it is up there right now. He said it's 4 foot x 8 foot and the other one is 4 foot by 4 foot. He asked the Board would like him how and he will do it but those signs will still be up. Supervisor Harden asked if Mr. Huber was asking the Board to tell him how to get it down to 5 square feet. Mr. Huber said he didn't want a problem. He said he wants to make those signs so if the Board wants him to take some plywood or something to mark it off or frame it so they are only 5 square feet, he will do so. But, he said, he wants those signs up. Chairman Wilson said we could not answer that. In response to a question from Supervisor Harden, Mr. Shea said all the communications he has had with the property owners or people wanting to put up signs were the direct result of people complaining. He said he has probably spoken with about ten people so far complaining about signs.

Mr. Horn said he thinks this is why the Township doesn't want to be involved in this. The Township doesn't want residents calling in and complaining and tattling on their neighbors. That is not a good use of Staff's time and it is not a good use of our taxpayer dollars. He said they buy property in Harris Township and they pay their taxes. They want to be able to show support for their political candidates that they want to vote for as Americans. He said having no restrictions is what he thinks they are asking for in order to do that so the Township doesn't have to constantly do this or else the Township will be getting calls, especially in this election where we are trying to foster community and rebuilding. He said it is only going to create more divisiveness and dissent amongst neighbors in Harris Township. Supervisor Harden asked Mr. Shea when he sends letters out if people are complying. Mr. Shea said we have had a couple that have complied. We also have had a couple that are waiting to find out what was discussed at this meeting to determine if they were going to change what they currently have in place. He said we have had at least one person say that if it doesn't go in their favor tonight, they will consider changing their sign. In response to a question from Vice Chairman Hameister, Mr. Shea said we are talking about signs on private property. He said we are not talking about signs in the street right-of-way. He said those are prohibited, period. He said the majority of the signs that are out now are within the streets rights-of-way.

Mr. Kunselman said his only request is that you consider allowing the number of signs, as per the positions on the ballot. Mr. Shea said that in itself is problematic because you are automatically saying it is a campaign sign and our ordinance is content neutral. So, you can't say you have so many campaign signs. They all have to be personal message signs regardless of

what they say. He said we have been told by our attorney that we can't have a section specifically for political signs because that violates the basic tenants of the Gilbert decision that started all this from the Supreme Court. He said the Gilbert decision, as it was explained to Staff, was that it wasn't a decision about political signs, it was a decision about content of signs regardless of whether it was a political message or not. The decisions are more far reaching than just political signs. It is about content on signs, period. Mr. Kunselman said so it is about controlling what private citizens do on private property that they purchased and that they continue to pay property tax on. Mr. Shea said we have entire ordinance, zoning ordinance, subdivision ordinance, several chapters, that do exactly that. He said when you get in a vehicle and have to put on a seat belt, that is exactly the same thing. Mr. Kunselman said it might be but he thinks we fought a revolution in 1776 about being able to protest and display our speech in the way we want. Specifically, after the Stamp Act when they were regulating speech. Supervisor Harden said to address the question about unlimited signs, you can make the same argument about the speed limit. He said if the speed limit is posted for a certain speed and someone wants to go faster, that doesn't give them the right to disobey the speed limit and come in say change the law. He said the Board is open to looking at increasing the number of signs again. He said with regard to the size, we have a small community and we don't want banners and signs all over the place. He said there are reasons why we have these things. Supervisor Harden asked if we could relax the ordinance for three or four weeks. Mr. Boeckel said he thinks if the Board is interested in sending this back to Planning Commission for further review and consideration, we certainly could, at the Board's direction, hold off on enforcing any personal message signs on private property until this issue is resolved. Certainly, the Planning Commission will have to look at it and make any decisions about what they might want to recommend to the Board. He said there might be other things also in the sign ordinance that we might also recommend that aren't related to personal message signs that we have recognized after having the ordinance adopted. There may be a few other things that maybe we didn't address about other types of signage that might get included also. He said the bottom line is, at least until that ordinance comes back to the Board and we make a decision on it, we could hold off on the enforcement of personal message signs on private property until that time.

Supervisor Lord said again, this is not about politics. He said there are two issues here. One is the number of signs and number two is the size of signs. He said he is quite happy to look at the number of signs again. He said he understands if you have a large piece of property and it is far off the right-of-way, a larger sign makes sense. He said large signs near intersections interfere with sight distance problems and that is a public safety issue that he is concerned about. He said if we could craft an ordinance that deals with larger signs on larger properties that don't hinder sight distance, he didn't know if we could do that or not. He said that it may be complicated. Mr. Shea said the Board could ask the Planning Commission to consider it but he is not sure how we would do that. He said he didn't know if we would consider the size of a property or the right-of-way width. He said he did not know what would be the best way to do that, if there is a way to do that. He said in all his research on this matter, he did not think he ran across anything that did address that. Mr. Shea also explained the sight distance triangle regarding any item within that triangle on a corner property.

Mr. Huber said this whole conversation is moot in 3 more weeks. Mr. Shea said it is moot for this election.

Supervisor Harden moved to ask the Planning Commission to reconsider the number of personal message signs allowed per property and the allowable maximum size of personal message signs depending on how far away they are from the right-of-way and how big the land is and that we suspend enforcement until this comes back from the Planning Commission. Mr. Boeckel clarified suspending enforcement of the personal message portion of the ordinance and not the whole ordinance because we have other signs that get put up all the time. Supervisor Lord seconded the motion.

Debbie Lintal said when they are coming from Mt. View and are coming down on 45, their sign is in the way. She said you cannot see the road. You can't see cars coming unless you edge out. In response to a question from Supervisor Harden, Ms. Lintal said it is when you are taking a left. She said when you come down onto 45 from the Country Club and you try to see traffic coming from the right. She said she knows it is a sign, and it is their sign, but it really is in the way. Mr. Shea said he has been asked in the past to look at those signs specifically and if you're sitting at the intersection and you are the next person to go left or right, can see both directions.

The motion passed unanimously.

Mr. Shea asked for clarification from the Board that this motion is only regarding private property signs and that signs in the right-of-way can still be addressed by Staff. He was advised that was correct.

h. 2025 COG SUMMARY BUDGET COMMENTS:

COG Executive Director Ben Estell and Finance Director Kimberlee MacMullen are present to discuss the COG's 2025 budget and to answer any questions from the Board. The Township's municipal share will increase by 3.57%, which is \$27,760, for a total contribution of \$804,653.

Staff will forward any comments the Board has on the budget to the COG.

Ben Estell introduced himself to the Board as the new Executive Director of COG. He said he hasn't yet met everyone, but he will get around to that soon. He said he is pleased to present the 2025 Summary Budget. He said they are looking at a 5.64 percent overall increase to the COG budget. He said that is above the original percentage that they were charged with but that is actually lower once that formula is calculated with the new health insurance number that they were provided. He said the estimate that they were given was 19.9 percent for health insurance which would have pushed the COG budget over 6 percent for their target number and they came in at 5.64 even after all the additional items from the menu.

He said another item he wanted to call out to everybody is the extensive use of fund balance in this budget. He said many of their funds are using their fund balance, sometimes depleting it completely for this. He said for the most part, these funds are not being used for one-time expenses. They are being used for continuous expenses. He said the COG Admin budget in particular uses the remaining \$92,000 of the fund balance. He said those are not one-time costs and many of these are repeating costs so that means there will be higher increases in those areas

in following years to make up for that use of fund balance. He said it was a conscious decision that was made and discussed with Finance that we know our municipalities have seen a couple of years of high increases and in order to mitigate that where we could use the fund balance, we did. He said they will also be working on fund balance policy for each of their funds in order to help dictate how these balances will be used in the future. He said there is no one kind of formula that is going to work for all of their funds. They are all pretty different from one another. He said they are also dealing with agencies that collect a variety of revenue.

He said one of the other changes they will be looking at is moving to a 5-year outlook on the budgets. He said hopefully this is the last year that they only look one year into the future when they do these. He said that does not mean they are going to ask their communities to pass five years' worth of budgets at one time. Instead, what they want to do is be able to show the longer term effects of decisions that get made. He said there has been significant investment into the regional parks system in recent years and with those large one-time expenses come continuous additional expenses for maintenance and operation of those parks. He said you don't see those costs in a one-year budget.

He said another big change they will be pushing now and during his time here is that the COG is a service agency. He said they are here to serve our communities. He said one of his first instructions to the agency directors was that when they came to the budget process, they were not to try to "sell" anything to our member communities. He said the requests that were on the menu list are items that help them meet the requests that they have received from their member communities. The COG and their employees are not asking for these things and they are not trying to sell you more than what you have asked for. Moving forward, they will not be trying to sell anything to our member communities.

Supervisor Harden said when Finance did their final meeting, he thought their increase was \$804,000. He said they had a couple of items, one of which was the flooring for kids area in the library. He said they decided they were taking that \$32,000 out. He said he looked at the Summary Budget and he did not see a drop in that capital expenditure and he wondered if it did not come out. Kimberlee MacMullen said the way that they manage these changes, the budget the Supervisors are looking at as the Summary Budget is not amended with any of the other conversations that were held. She said collectively all the municipalities are coming back to COG with their recommendations on things that they want or don't want. Once they get all those comments, it goes back to the Finance Committee on October 24th at which time, some of these final amendments are agreed to then she revises the entire budget for the General Forum. Supervisor Harden said the other item was the parking lot. He said he knows there was some discussion about Codes picking up some of that. He said he thought about this and Codes with all their vehicles are tearing up the parking lot and he thought they should pay for the entire lot. Mr. Estell said he signed the paperwork at the end of last week disposing of 8 vehicles and they are leaving this week. Supervisor Harden said another item he wanted to comment on was the Benner Pike Corridor Study. He said it went through the Finance Committee and his last ditch effort was to tell Benner to put some money in this and put some skin in the game. He said he told the MPO that COG is not a funding source for the County to fix roads when they don't have to participate and we are funding roads throughout the County. He said that is what he sees here because Benner Township has nothing in that. They are getting the study and they are getting the benefits and they are asking COG to be a

funding source for \$7,605. He said he was happy with the budget. He said it does concern him that we are using up fund balances on one side. He said but on the other side, the total fund balance for COG is \$9.9 million, he said if we are going to do a fund balance, there ought to be a way that that \$9.9 million fund balance could be used so the rich help the poor in the agencies. He said when we look at that fund balance, we need to look at how can we move the fund balance around to those that need the help. He said he wants to see a revenue based budget form of budgeting next year. He said we will say this is the revenue you're getting and your agencies can make the decisions on what will be funded based upon those revenues. He said when he looked through the Parks & Recreation active guide, he felt there were some programs that warrant subsidies and there are others that could be treated more like an enterprise programs and they should be broken out as such.

Ms. MacMullen said she put together a list of a lot of the comments that came out of the Finance Committee review. She said that list includes any open item that the committee requested they either look into further or be prepared to deliver some research, that will be part of the agenda for the October 24th meeting and they will do a final pass on that. She said with regard to the fund balance policy, they have come up with a strategic approach to look at each of the individual fund balances because some of their programs and agencies are so diverse and they have different revenue streams and they have different ways to build their fund balance. She said she thinks the first step they want to do is look at each of them individually and what are the nuances for each of them that would require a certain level of fund balances. She said once they have that information, it will be a little easier to address Supervisor Harden's concern of can there be any sort of cross-pollination with maybe the haves and have-nots. She said they do have a plan and she will discuss this more at the meeting next week. She said that is a very high priority for her going into 2025.

Vice Chairman Hameister said on page 22 the 2022, 2023, 2024 and 2025 totals are listed. He said interestingly, 2022 and 2025 are both 27 million and 2023 is at 30 and now 2025 is at 20. He asked if the difference between 2024 and 2025 is that the 6.74 percent increase. Mr. Estell said it was. He said the last piece of that is you have the wage and benefit study that was completed and goes into effect in January. He said another big piece of that is the new fire program will be in place for the entire year and not just a part of the year. He said you will see the fire budget is significantly higher than it had been in the past.

Vice Chairman Hameister said Mr. Estell mentioned 5 year budgets and he said in some cases you have to go further than that because we bought real estate. Mr. Estell said that is true. He said with budgets, the further out you go, the less reliable they become. He said, in his experience, five years has been about the max window that you can look at with any type of certainty and expect your costs to be reasonable. Vice Chairman Hameister said real estate is pretty stable. Mr. Estell said he his hoping to not buy anything more anytime soon and that we finish up the projects that we have and pay for those before we look to take on any more large projects. Vice Chairman Hameister asked what the paydown was on the Whitehall Road project. Mr. Estell said that loan will take the savings from the pool loan in a couple of years that will be paid off and then starts to apply that to the Whitehall loan. Vice Chairman Hameister thanked to COG for the interest of the flush toilets at Hess Field in the budget. He said that it is going to be a big improvement. He said he is pretty pleased with the budget overall.

Supervisor Lord said with regard to the Code fund balance, it will be interesting to see if we could break out the portion of that fund balance that is being held for completion of projects. So, inspection and all term projects get completed and then have what the remaining fund balance is. So, if we could separate the two items, that might be helpful in terms of understanding that fund balance. He said another item with regard to the Code department is that it is an enterprise agency and that the Parks and Recreation Agency is not. He said he questions why Parks is paying market-rate rent for their office space, while the Code Agency is an enterprise fund and has the benefit of being housed in the COG building. He said he wondered if the two agencies could swap and the Parks and Recreation Agency move back to the COG building and the Code Agency going out into the open market. Supervisor Lord said every year we get the budget document and we get a spreadsheet asking for our comments. He said some days and some years, he said he feels like why bother. He gave the example of this year; the parking lot was in the budget and he said he believes 4 out of the 6 municipalities said let's not pave the parking lot this year. He said if two-thirds of the municipalities say don't, do it, why do you ask for input if you're going to do it. Mr. Estell said this was put before the Finance Committee and they made the choice to proceed with it. He said this was not something that he chose to do or that the staff chose to do. Supervisor Harden said it was commented on in the Finance Committee and he said, again, he agrees with Supervisor Lord that 4 out of the 6 municipalities said let's move it down a couple years and it still stayed in the budget. Supervisor Harden asked Ms. MacMullen if she knew why that stayed in. Ms. MacMullen said originally they agreed they were going to pave the parking lot and split the cost with Codes. She said at that particular juncture in the budget it was about \$65,000 split between the two. Then there was discussion about Code doing the electrical vehicle installation. Then the discussion escalated to if COG Admin takes care of the parking lot, Code would install the EV stations. She said then that got a little more twisty because then it became a question of timing. If they put the EV installation in first and they tear up the parking lot, that's no big deal because we haven't finished the parking lot yet. But then, if the parking lot were to be done first, now someone on the Finance Committee had a good recommendation that there should be some sort of caveat that when the EV install is done, if there's any damage to the parking lot that's already been paid for, that be repaired. She said that is how they went from a shared \$65,000 cost and then to a sort of split decision with these two particular projects. She said she believes they are not tearing the parking lot up. She said she thinks the full budget amount is the worst case scenario. Supervisor Harden said we said put it down the road. There shouldn't even have been \$65,000 in there. It shouldn't have even been in the budget. Regardless of how it was being done, it shouldn't have even been in the budget. He said we are making these comments and we are being ignored. Supervisor Harden said he thinks that is going to be one of our comments that the only way the parking lot gets done is if Codes pays for it 100 percent. Ms. MacMullen said she will also check to see if that is on the list for discussion on the 24th. Supervisor Lord said it wasn't just the parking lot. It was also the furniture and other items. He said if you are going to ask for his opinion, he would at least like some acknowledgement and not just thanks for your input, but we're going to do this.

Supervisor Harden explained the COSTARS program and said this is something COG may want to check in to.

Chairman Wilson said the flush toilets at Hess Field was a big item for us and we have been waiting a long time for them and we appreciate it. He said he agrees, why are we paving a parking lot that is not bad. He said other than that, he has no comments and he is pleased that our share hasn't gone up that much. He said COG is by far the largest expense of our budget. He said he does like the idea of projecting years in advance for the entire budget and not just the capital expenditures.

Mr. Estell thanked the Board for their time and input.

6. MANAGER'S REPORT:

Mr. Boeckel said the crews have started brush collection and today completed the Kaywood, Willowbrook, Huntridge Manor, Aspen Heights and Brookside areas.

Mr. Boeckel said Stan Wallace, the Township's alternate SEO, recently informed the Township that he will be retiring at the end of the year. The Township currently uses the CRCA for SEO services, and the agency has multiple SEOs on staff. An alternate SEO does not need to be appointed in 2025, however, if the Board would like to have an alternate available, Staff can begin investigating potential options. Supervisor Harden said he felt having an alternate was a good idea. Mr. Boeckel said Mr. Wallace did provide a list of potential candidates. It was the consensus of the Board to have an alternate and Mr. Boeckel will begin working on interviews for an alternate SEO.

Vice Chairman Hameister said the analysis of the pond at Tussey Pond Park was interesting. Mr. Boeckel said he met with the Pennsylvania Fish and Boat Commission people at the site and it was interesting to see this analysis completed.

Supervisor Harden said he likes the potential library book drop box adjacent to the new municipal parking lot. Mr. Boeckel said the library may also explore the potential for book lockers in the Township in the future.

Vice Chairman Hameister asked where we stand on the Agricultural Security Area. Mr. Boeckel said there were still a couple of properties that need to be looked at yet to determine if they can be added.

Mr. Boeckel said he is recommending that the Board of Supervisors hold their budget review sessions on October 23rd and November 6th at 5:00 PM. Staff intends to deliver the budget to you on October 21st. To meet the October 21st deadline, there may be a few minor budget categories that will need to be updated during the budget review process. He noted the October 23rd meeting has already been advertised for 7:00 PM. It was the consensus of the Board to hold the October 23rd meeting at 7:00 PM and the November 6th meeting at 5:00 PM.

Supervisor Harden asked about the financial report. He said right now he sees that we at roughly \$770,000.00 General Fund. He said if he does the math quick, he said we have been using that much a quarter. He asked if that means we are on track to break even. Mr. Boeckel said we use

about a third of that every 4 months. He said we will definitely be okay and we are going to have more income coming in between now and the end of the year as well. He said right now, we are projecting a pretty decent fund balance to roll forward into next year so that will be helpful.

7. APPROVAL OF VOUCHERS:

Supervisor Harden moved to approve voucher transmittal sheet No. 2024-9 in the amount of \$371,416.74. Vice Chairman Hameister seconded the motion. The motion passed unanimously.

8. COG COMMITTEE REPORTS:

Executive Committee: Chairman Wilson said this committee set the agenda for the General Forum. He said they also received a presentation from Pam Adams on the Solar Power Purchasing Agreement.

Human Resources Committee: Chairman Wilson said this committee did not meet.

Climate Action and Sustainability Committee: Chairman Wilson said this committee discussed the revised model municipal solid waste ordinance, discussed the at-door fee waiver for age-related safety concerns and discussed the bulk waste collection changes.

Facilities Committee –Vice Chairman Hameister said this committee did not meet.

Land Use and Community Infrastructure Committee: Vice Chairman Hameister said this committee discussed extending the deadline for the Comprehensive Plan Update from October 1 to October 20, 2024 and the group completed a Comprehensive Plan Update Engagement activity. He said they also had an interesting exercise from the CRPA planners on the Comprehensive Plan.

Solar Power Purchasing Agreement Committee: Vice Chairman Hameister said he talked to Scott Harford today who is with an energy program on campus. He said we should talk about the opportunity for each of us to voice our concerns and our interests with respect to where we are in that program. He said if we do that in writing, he and Scott will meet and talk about how we can fit his expertise into working with us. He will also look at the PowerPoint presentation that Ms. Adams did to see where we are.

Parks Capital Committee: Supervisor Lord said this committee did not meet. They meet quarterly and should be meeting in October but to-date, he has not heard anything about an October meeting.

Parks Governance Committee: Supervisor Lord said this committee did not meet. They wanted to give the new Executive Director a chance to get settled in.

Centre Region Parks Authority: Supervisor Lord said this committee did not meet but will be meeting later this week.

Finance Committee: Supervisor Harden said this item was discussed previously at this meeting.

State College Area Connector Project: Supervisor Harden said there was nothing new to report on this matter. He said it was reported that there were 400 attendees at the Open House and they received 200 comments.

Centre County MPO: Supervisor Harden said he is getting a little frustrated with non-member agencies asking for funding. He mentioned CATA will be getting a new CEO. He also noted Liquid Fuels grant applications are due by October 18th. Lastly, he said he had a discussion with Constellation and he felt it is worth having them come to discuss this with us.

Public Safety Committee: Supervisor Moriarty was not present to provide a report.

Chairman Wilson said the Manager's Evaluation form was included in the agenda packet and he asked all the Board members to complete their evaluation and return it to him by the second budget meeting.

9. ADJOURNMENT:

There being no further business to come before the Supervisors, Supervisor Harden moved to adjourn and Chairman Wilson adjourned the meeting at 9:39 PM.

Respectfully Submitted,

Mark Boeckel, AICP
Township Secretary