

Meeting Agenda
State College Borough Redevelopment Authority
January 23, 2019
Room 241 / Noon

- I. Call to Order**
 - II. Roll Call**
 - III. Election of Officers**
 - A. Election of Chairman, Vice-Chairman, and Secretary/Treasurer
 - IV. Approval of Minutes**
 - V. Chair Report**
 - VI. Public Hour - Hearing of Citizens**
 - VII. Financial Issues**
 - A. December 2018 Expense Voucher Approvals
 - VIII. Community Development**
 - A. Update on NSP Student License Purchase Program & REAC report
 - IX. Economic Development**
 - A. Update on State College Town Centre Project
 - X. Official Reports and Correspondence**
 - XI. Upcoming Meetings**
 - XII. Adjournment**
- Documents:**

[Complete Redevelopment Authority Agenda - January 23, 2019.pdf](#)

**Meeting Agenda
State College Borough
Redevelopment Authority
January 23, 2019
Room 241 / Noon**

- I. Call to Order**
- II. Roll Call**
- III. Election of Officers**
 - A. Election of Chairman, Vice-Chairman, and Secretary/Treasurer
- IV. Approval of Minutes – December 19, 2019**
- V. Chair Report**
- VI. Public Hour - Hearing of Citizens**
- VII. Financial Matters**
 - A. December 2018 Expense Voucher Approvals

A recommendation of the Borough's 2017 audit was for the Redevelopment Authority (RDA) to begin to formally approve expenses. Beginning July 1, 2017, the RDA started approving expenditures at their regularly scheduled meetings.

Redevelopment Authority Action: The RDA should review and approve the December 2018 expenditures.
- VIII. Community Development**
 - B. Update on NSP Student License Purchase Program & REAC report

Staff will provide a brief update on implementation issues related to the Student Home License Purchase Program and a discussion of the upcoming 2019 Real Estate Advisory Committee report.
- IX. Economic Development**
 - C. Update on State College Town Centre Project

Staff will provide a staff update on the State College Town Centre negotiations and Council approval process.
- X. Official Reports and Correspondence**
 - A. Borough Council

- B. Planning Commission
- C. Staff Reports
- D. Conflict of Interest Memorandum

XI. Upcoming Meetings

Wednesday, February 27, 2019 at Noon

XII. Adjournment

The Redevelopment Authority will adjourn to an Executive Session to discuss Real Estate matters.

**Meeting Minutes
State College Borough Redevelopment Authority
December 19, 2018**

The State College Borough Redevelopment Authority (RDA) met on Wednesday, December 19, 2018 in the Municipal Building, 243 South Allen Street. Chairman Lenker called the meeting to order at 12:04 p.m.

Members Present

Sally Lenker, Chairman; Colleen Ritter, Vice-Chairman; Mark Huncik, James Shincovich, and Rebecca Misangyi

Others Present

Ed LeClear, Planning Director; Jenna Wargo, Planner; Mike Shigley, Resident; Sandra Lieb, Administrative Assistant

Approval of Minutes

A motion was made by Ms. Misangyi and was seconded by Mr. Shincovich to approve the October 24, 2018 minutes as submitted. The vote was unanimously in favor.

A motion was made by Mr. Shincovich to postpone the approval of the November 14, 2018, minutes and was seconded by Mr. Huncik. The vote was unanimously in favor.

Chair Report

Chairman Lenker reported Jawaid Haider, a former RDA member, had passed away on December 7, 2018.

Public Hour

No one was in the audience who wished to speak on items not on the agenda.

Financial Matters

November 2018 Expense Voucher Approvals - Mr. Huncik made a motion to approve the November 2018 Expense Voucher Approvals. Ms. Ritter seconded the motion. The vote was unanimously in favor.

Mr. LeClear reported the RDA was a member of the Urban Land Institute. This organization provided real estate analysis of upcoming trends. He added they also offered webinars and online resources.

2019 Redevelopment Authority Budget – Mr. Shincovich made a motion to approve the budget as presented and to pause on buying houses in 2019. Ms. Misangyi seconded the motion. The vote was unanimously in favor.

Redevelopment Authority Action

- 230/234 West Logan Avenue was sold to Housing Transitions.
- The RDA bought 600 North Allen Street.
- The staff assistant position costs would come out of the General Fund and not through the RDA.
- The total anticipated cash for 2019 was \$787,000.
- The total liability for the year was \$1,800,000.
- If everything was liquidated, there would be \$1,100,000.
- The total number of houses and licenses purchased since the program began was 11 properties and 13 licenses.
- Ms. Lenker said that as of December 31, 2018, they would not buy any properties.
- There would be a joint meeting in February with the RDA and the Real Estate Advisory Committee (REAC).
- On April 1, 2019, the REAC report and recommendations would be presented and approved. The report would be presented by Peg Hambrick.

Yorkshire Loan Proceeds

- RDA will close on this loan, but \$125,000 was from the Middle-Income Program and \$250,000 was from the RDA.
- When the proceeds come in, they will go to the Middle-Income Program. Staff recommended the entire amount go to the Middle-Income Program.

Ms. Ritter made a motion for the payback from the Yorkshire loan would go to the Middle-Income Program. Ms. Misangyi seconded the motion. The vote was unanimously in favor.

Community Development

Neighborhood Sustainability Program (NSP): Student Home License Purchase Program

- Ms. Wargo stated the general contractor was working on the 308 West Prospect Avenue property.
- The property at 245 West Hamilton Avenue would be sold in March 2019.
- Staff recommended trimming the trees on the 600 North Allen Street property.
- Ms. Wargo sent out 45 letters concerning the Student Home License Purchase Program. She heard back from two of the owners and currently have six owners that are interested in the RDA buying their Student Home Licenses. The cost of these licenses would be \$280,000.

- Mr. LeClear stated that when the program originally started, they had decided to not buy properties on Atherton Street or Park Avenue. He asked the RDA if they wanted to continue with that decision.
- Ms. Wargo stated there were two properties on Atherton Street. Ms. Lenker added that they had to decide whether or not they wanted properties on heavily traveled roads.
- Ms. Lenker said that when deciding to buy the properties, the RDA also needed to think about the salability of the property.
- Mr. LeClear stated that the Borough Manager was concerned about the line of credit to just buy the licenses because there was no physical asset. He added they needed to check whether this would be an issue with the mortgages because the Borough would not want to have the liability.
- Mr. LeClear said they needed to work out how the RDA paid the two payments of \$15,000 for the licenses. He explained the RDA would need recourse to get the first \$15,000 back, if necessary. He added that Terry Williams, the Borough Solicitor, was working on the contract.

Mr. Huncik asked if there was an update on the Town Centre. Mr. LeClear answered that they had appraisals on the two properties, and a private developer said there was a difference in value when there were students or no students.

Upcoming Meetings

The next scheduled meeting would be January 23, 2019, at 12:00 p.m.

Adjournment

With no further business to discuss, a motion was made by Ms. Misangyi to adjourn the meeting at 1:24 p.m. and was seconded by Mr. Shincovich. At that time, the Authority adjourned to an Executive Session to discuss real estate matters.

Respectfully submitted,

Sandra M. Lieb
Administrative Assistant

SCB RDA Voucher Report

Check Date Range: 12/1/2018 to 12/31/2018

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VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
COLUMBIA GAS OF PENNSYLVANIA	NATURAL GAS	11 CCF-230 W LOGAN AVE-11/8-11/15	B114-14-42-00-0000-000-73362 - NSP07	38473	31.94
Check Number 38473 Total:					31.94
EDWARD LECLEAR	PROFESSIONAL DEVELOPMENT	TRVL RMBS-REGISTRATION-LECLEAR #2019-04	B114-15-44-00-0000-000-62121 -	38483	987.50
Check Number 38483 Total:					987.50
JABCO PEST CONTROL SRVCS LLC	REPAIRS & MAINT - BUILDINGS	PEST INSPECTION-245 E HAMILTON	B114-14-42-00-0000-000-70372 - NSP08	38496	110.00
Check Number 38496 Total:					110.00
JENNA WARGO	PROFESSIONAL DEVELOPMENT	TRVL RMBS-WARGO-TRV #2019-03	B114-15-44-00-0000-000-62121 -	38497	987.50
Check Number 38497 Total:					987.50
NITTANY OIL COMPANY	HEATING FUEL	HEATING OIL	B114-14-42-00-0000-000-64230 - NSP11	38511	426.84
Check Number 38511 Total:					426.84
PAINT NINJA'S INCORPORATED	REPAIRS & MAINT - BUILDINGS	INTERIOR PAINTING OF 308 WEST	B114-14-42-00-0000-000-70372 - NSP09	38516	5,312.00
Check Number 38516 Total:					5,312.00
STATE COLLEGE BORO WATER AUTH	WATER AND SEWER	245 E HAMILTON-7/25-10/25-1 M GAL	B114-14-42-00-0000-000-73366 - NSP08	38529	50.55
Check Number 38529 Total:					50.55
WEST PENN POWER COMPANY	ELECTRICITY	28 KWH-245 E HAMILTON #2-10/24-11/22	B114-14-42-00-0000-000-73360 - NSP08	38550	9.95
WEST PENN POWER COMPANY	ELECTRICITY	1570 KWH-245 E HAMILTON #1-10/24-11/22	B114-14-42-00-0000-000-73360 - NSP08	38550	170.09
WEST PENN POWER COMPANY	ELECTRICITY	614 KWH-308 E PROSPECT-10/24-11/22	B114-14-42-00-0000-000-73360 - NSP09	38550	71.19
Check Number 38550 Total:					251.23
CHRISTIAN T AUMILLER	PROFESSIONAL SERVICES	COMMERCIAL APPRAISALS	B114-15-44-00-0000-000-67310	38568	4,500.00

SCB RDA Voucher Report

Check Date Range: 12/1/2018 to 12/31/2018

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VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
Check Number 38568 Total:					4,500.00
COLUMBIA GAS OF PENNSYLVANIA	NATURAL GAS	128 CCF - 245 E HAMILTON AVE - 10/31-12/3	B114-14-42-00-0000-000-73362 - NSP08	38574	126.32
Check Number 38574 Total:					126.32
FIRST NATIONAL BANK	DEBT SERVICE - INTEREST	LOAN #46199915	B114-14-42-00-0000-000-95901 -	38584	35,971.24
Check Number 38584 Total:					35,971.24
SHARON ERGLER, PETTY CASH	PROGRAM SUPPLIES/ACTIVITIES	REIMB - PETTY CASH	B114-14-42-00-0000-000-66238 - NSP09	38628	9.98
Check Number 38628 Total:					9.98
COLUMBIA GAS OF PENNSYLVANIA	NATURAL GAS	180 CCF-308 W PROSPECT AVE-11/8-12/11	B114-14-42-00-0000-000-73362 - NSP09	38668	228.60
Check Number 38668 Total:					228.60
PAINT NINJA'S INCORPORATED	REPAIRS & MAINT - BUILDINGS	INTERIOR PAINTING OF 308 WEST	B114-14-42-00-0000-000-70372 - NSP09	38763	4,250.00
Check Number 38763 Total:					4,250.00
S C BOROUGH GENERAL FUND	PERMITS AND FEES	RENTAL HOUSING PERMIT	B114-14-42-00-0000-000-66255 - NSP11	38777	25.00
Check Number 38777 Total:					25.00
TRAVELERS CL REMITTANCE CENTER	PROPERTY INSURANCE	2019 PRIVACY POLICY	B114-14-42-00-0000-000-80351 -	38792	560.43
Check Number 38792 Total:					560.43
WEST PENN POWER COMPANY	ELECTRICITY	1164 KWH-600 N ALLEN ST-11/16-12/12	B114-14-42-00-0000-000-73360 - NSP11	38799	132.56
Check Number 38799 Total:					132.56
DOUGLAS KIM THOMPSON	REPAIRS & MAINT - BUILDINGS	CLEAN GUTTERS	B114-14-42-00-0000-000-70372 - NSP08	38822	80.00
DOUGLAS KIM THOMPSON	REPAIRS & MAINT - BUILDINGS	CLEAN GUTTERS	B114-14-42-00-0000-000-70372 - NSP09	38822	50.00

SCB RDA Voucher Report

Check Date Range: 12/1/2018 to 12/31/2018

VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
DOUGLAS KIM THOMPSON	REPAIRS & MAINT - BUILDINGS	CLEAN GUTTERS	B114-14-42-00-0000-000-70372 - NSP11	38822	88.00
Check Number 38822 Total:					218.00
ONE TIME PAY	SECURITY DEPOSITS	REFUND-SECURITY DEPOSIT-600 N ALLEN	B114-00-00-00-0000-000-25020 - NSP11	38841	600.00
Check Number 38841 Total:					600.00
					54,779.69
Fund B114 Total:					54,779.69
Grand Total					54,779.69

Borough of State College MEMORANDUM

to: All Borough Employees
from: Ed LeClear, Director of Planning and Community Development
re: Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs
date: November 15, 2018

A Conflict of Interest Policy and Code of Conduct with Regard to HUD Programs was adopted by the State College Borough Council in 2005 and updated by Borough Council as recently as 2017. This attached policy will be distributed to Borough employees annually.

Please review the policy.

If you have questions or comments, please contact me at 234-7109.

BOROUGH OF STATE COLLEGE

Conflict of Interest Policy and Code of Conduct With Regard to HUD Programs

SECTION 1 NON-PROCUREMENT CONFLICTS OF INTEREST

A. COVERED INDIVIDUALS:

Any employee, agent, officer, elected official, appointed official or consultant of the Borough of State College (Participating Jurisdiction) or; any member of an employee's, agent's, officer's, elected official's or appointed official's immediate family; an employee's, agent's, officer's, elected official's or appointed official's partner; or an organization that employs or is about to employ any of the above.

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 1 of section 1 who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME Investment Partnerships Program (HOME) or Community Development Block Grant (CDBG) or other U.S. Department of Housing and Urban Development (HUD) funds, or who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a real or apparent financial interest or financial benefit from a HOME, CDBG, or other HUD-assisted activity, or has a real or apparent financial interest in any contract, subcontract, or agreement with respect to HOME, CDBG, or other HUD-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild and in-laws of a covered person. Occupancy of a HOME-assisted unit by a covered person constitutes a financial interest.

EXCEPTIONS:

Threshold Requirements – Upon the written request of the participating jurisdiction, the U.S. Housing and Urban Development (HUD) or its successor, may grant an exception to the provisions of the CONFLICTS PROHIBITED of section 1 on a case-by-case basis when it determines that the exception will serve to further the purpose of the HOME, CDBG or other HUD program and the effective and efficient administration of the Borough's program or project. An exception may be considered only after the participating jurisdiction has provided the following:

1. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure* of the conflict and a description of how the public disclosure was made; and
2. An opinion from the Borough's attorney that the interest for which the exception is sought would not violate state or local laws.

*The requirements for public disclosure include publication in a local newspaper or disclosure during an advertised public hearing.

Factors to be considered for Exceptions – In determining whether to grant a requested exception after the participating jurisdiction has satisfactorily met the requirements of paragraphs a. and b. above, HUD, or its successors, will consider the cumulative affect of the following factors, where applicable:

1. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
2. Whether the person affected is a member of a group or class of low-income persons intended to be the beneficiary of the assisted activity, and the exception will permit such person(s) to receive generally the same interests or benefits as are being made available or provided to the group or class;
3. Whether the affected person(s) has withdrawn from his/her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question;
4. Whether the interest or benefit was present before the affected person was in a position as described in the COVERED PERSONS Paragraph of this section
5. Whether undue hardship will result either to the participating jurisdiction or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
6. Any other relevant considerations.

B. OWNERS AND DEVELOPERS:

Any owner, developer or sponsor of a project assisted with HOME, CDBG or other HUD funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community development organization (CHDO) when acting as an owner, developer or sponsor)

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 2.A of section 2 may occupy, or appear to occupy, a HOME, CDBG or other HUD-assisted affordable housing unit in a project during the required period of affordability specified in §92.252(e) or §92.254(a)(4). This provision does not apply to an individual who receives HOME, CDBG or other HUD funds to acquire or rehabilitate his or her principal residence or to an employee or agent to the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

EXCEPTIONS:

Upon written request of a housing owner or developer, the Borough may grant an exception to the provisions of the above paragraph of this section on a case by case basis when it determines that the exception will serve to further the purposes of the HOME, CDBG or other HUD program and the effective and efficient administration of the owner's or developer's HOME, CDBG or other HUD-assisted project. In determining whether to grant a requested exception, the Borough shall consider the following factors:

1. Whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of the assisted housing, and the

- exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class:
2. Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;
 3. Whether the tenant protection requirements of Sec. 92.253 are being observed;
 4. Whether the affirmative marketing requirements of Sec. 92.351 are being observed and followed; and
 5. Any other factor relevant to the Borough's determination, including the timing of the requested exception.

SECTION 2 PROCUREMENT CONFLICT OF INTEREST

COVERED INDIVIDUALS:

Any employee, officer, or agent of the Borough of State College (Participating Jurisdiction).

CONFLICTS PROHIBITED:

The CDBG, HOME and other HUD Programs follow the procurement policy of the Borough of State College located in the Borough of State College Code of Ordinances, Chapter 1, Part N. If any provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 are not included or conflict with the Borough's Procurement Policy, the provisions of 2 CFR 200.318, 24 CFR 570.611, and 24 CFR 92.356 shall supersede the Borough's Procurement Policy.

No Covered Individuals in section 2 may participate in the selection, award or administration of a contract supported by HOME, CDBG or other HUD Program if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for award:

- employee, agents, or officer of the Borough of State College;
- any member of an employee's, agent's or officer's immediate family;
- an employee's, agent's or officer's partner; or
- an organization that employs or is about to employ any of the above

No employee, officer, or agent of the Borough or subrecipient may solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to subagreements.

EXCEPTIONS:

There are no exceptions for real or apparent procurement conflicts of interest.

A request for a regulatory waiver can be submitted pursuant to 24 C.F.R. § 5.110

Upon determination of good cause, the Secretary may, subject to statutory limitations, waive any provision of this title and delegate this authority in accordance with section 106 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3535(q)).

SECTION 3 CODE OF CONDUCT:

Persons covered in section 2, paragraph 1, are expressly forbidden from soliciting or accepting money, gifts, gratuities, services, favors, or anything of monetary value (excepting unsolicited calendars, pens, or other items of nominal value used as an advertising medium) from any person, company, firm, or corporation to which any purchase order or contract is, or might, be awarded or from a party to any potential subcontract.

The Borough shall also take disciplinary action in accordance with the Borough Personnel Rules and Regulations against any covered persons in section 2 paragraph 1 who violate this conflict of interest policy.

Employees will receive a copy of the conflict of interest policy on an annual basis as a mailer included in a paycheck. Elected and appointed officials will receive a copy of the policy at a regular meeting of their respective council, authority, board or commission. Distribution of the policy will be noted in the minutes of the meeting. Members who are absent will receive a copy by mail. Consultants and agents will be provided a copy of the policy as part of their contracts.

SECTION 4 SUB-RECIPIENTS:

Applicable Conflict of Interest and Procurement Policies for the Borough's subrecipients are covered under CFR 200.318, 24 CFR 570.611 and 24 CFR 92.356. Each subrecipient has developed its own Conflict of Interest Policy and Procurement Policy in accordance with the applicable regulations.

Authorized Official: Ed LeClear, Director of Planning and Community Development
243 S. Allen Street
State College, PA 16801
814-234-7109

Summary of Revisions:

Adopted by the State College Borough Council on April 18, 2005.

Revised by staff on April 30, 2015.

Revised policy adopted by the State College Borough Council on November 6, 2017.

Borough of State College
MEMORANDUM

to: All Borough Employees

from: Ed LeClear, Director of Planning and Community Development

re: Drug-Free Workplace Requirements for the Community Development Block Grant and HOME Programs

date: November 15, 2018

The State College Borough Community Development Department is mandated by the Department of Housing and Urban Development to notify all employees who are engaged in the performance of the Community Development Block Grant program and the HOME program of the status of drugs in the workplace.

It is unlawful to manufacture, distribute, dispense, possess or use a controlled substance in the workplace. Any employee who does manufacture, distribute, dispense, possess or use a controlled substance in the workplace shall be prosecuted under all applicable State and Federal laws, and shall face appropriate personnel action, up to and including termination; or the employee shall participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.

Employees must notify the Borough in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. The State College Community Development Department is required to notify HUD, within ten calendar days after receiving notice from an employee or otherwise receiving actual notice of a conviction.

State College Borough has in place an Employee Assistance Plan designed to deal with drug and alcohol problems in the employee population. The telephone number for the Employee Assistance Plan is 1-800-252-4555; the website is www.theEAP.com.

If you have any questions or comments, please contact me at 234-7109.