

**Meeting Agenda**  
**State College Borough Redevelopment Authority**  
**February 28, 2018**  
**Room 241 / 12 p.m**

- I. Call to Order**
- II. Roll Call**
- III. Election of Officers**
- IV. Approval of Minutes**
- V. Chair Report**
- VI. Public Hour - Hearing of Citizens**
- VII. Financial Issues**
  - A. December 2017 & January 2018 Expense Voucher Approvals
- VIII. Orientation**
  - A. RDA Organizational Review & Sunshine Law Matters
- IX. Official Reports and Correspondence**
- X. Upcoming Meetings**
- XI. Adjournment**

**Documents:**

***Complete Redevelopment Authority Agenda - 2-28-18.pdf***

**Meeting Agenda  
State College Borough Redevelopment Authority  
February 28, 2018  
Room 241 / 12 p.m.**

**I. Call to Order**

**II. Roll Call**

Sally Lenker, Chairman  
Mark Huncik  
Rebecca Misangyi  
Colleen Ritter  
James Shincovich

**III. Election of Officers**

A. Election of Chairman, Vice-Chairman and Secretary/Treasurer

**IV. Approval of Minutes – December 20, 2017**

**V. Chair Report**

**VI. Public Hour - Hearing of Citizens**

**VII. Financial Issues**

A. December 2017 & January 2018 Expense Voucher Approvals

A recommendation of the Borough's 2017 audit was for the Redevelopment Authority (RDA) to begin formally approving expenses. Beginning July 1<sup>st</sup>, the RDA will be approving expenditures at regularly scheduled meetings.

**Action Needed:** Review and approve December 2017 and January 2018 expenditures.

**VIII. Orientation**

A. RDA Organizational Review & Sunshine Law Matters

Terry J. Williams, Esq., the Solicitor for the Borough of State College, will provide Authority members with an orientation to the Pennsylvania Urban Redevelopment Law, the powers and duties of the Redevelopment Authority, and a review of executive session protocol and PA Sunshine Law requirements.

**IX. Official Reports and Correspondence**

A. Borough Council

B. Planning Commission

C. Staff Reports

D. Conflict of Interest Memorandum

**X. Upcoming Meeting(s)**

March 28, 2018 at 12:00 p.m.

**XI. Adjournment**

*The Redevelopment Authority will convene to an Executive Session to discuss Real Estate matters*

**Meeting Minutes**  
**State College Borough Redevelopment Authority**  
**December 20, 2017**

The State College Borough Redevelopment Authority (RDA) met on Wednesday, December 20, 2017, in the Municipal Building, 243 South Allen Street. Chairman Lenker called the meeting to order at 12:08 p.m.

**Members Present**

Sally Lenker, Chairman; Donald Hahn, Vice-Chairman, and James Shincovich

**Others Present**

Ed LeClear, Planning Director; Jenna Wargo, Planner; Rhonda Johannesen, Planner-Redevelopment Specialist; and Denise L. Rhoads, Administrative Assistant

**Approval of Minutes**

A motion to approve the November 15, 2017 minutes as submitted was made by Mr. Shincovich and seconded by Ms. Lenker. The vote was unanimously in favor.

**Chair Report**

Chairman Lenker had nothing to report.

**Public Hour - Hearing of Citizens**

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

**Financial Issues**

November 2017 Expense Voucher Approvals

Mr. LeClear gave a brief overview of the November 2017 expense vouchers which included the following categories: 1) program supplies/activities, 2) printer/copier supplies, 3) natural gas, 4) electricity, 5) professional services, 6) office and miscellaneous supplies, 7) debt service - principals, and 8) debt service - interest.

He stated the Borough renewed their rental permits and utilities for the rental properties they just purchased through the Neighborhood Sustainability Program. He also noted the Borough renewed the student home licenses for these properties.

Mr. LeClear stated staff received an invoice for \$17,442.46 from Fulton Bank for the loan on the Kemmerer Road Apartment complex for both the principal and the interest. The Borough pays Fulton and then the Temporary Housing Foundation, Inc. would reimburse the Borough.

RDA's comments included:

- Mr. Shincovich asked what "WTR Feeder" meant in the November voucher. Mr. LeClear stated it was a payment for a boiler/heater repair.

A motion was made by Mr. Shincovich to approve the November 2017 vouchers and was seconded by Ms. Lenker. The vote was unanimously in favor.

### National Development Council (NDC)

Mr. LeClear stated staff and the NDC reviewed and revised the standard technical assistance contract and took into consideration the progress made on the State College Town Centre project. The current contract, at \$7,500 per month, expired at the end of November 2017. Staff and the NDC have negotiated a new six-month contract (with two possible three-month extensions) at a rate of \$6,000 per month.

Mr. LeClear's overview included:

- Mr. LeClear noted the new term would be January 2018 – June 2018 with the option of two additional three-month extensions at a rate of \$6,000 per month.
- He also stated staff worked in some scholarships and he and Ms. Wargo would take a real estate course in the future.
- Mr. LeClear stated members should add to their calendar a training to be given by the NDC on January 19, 2018 from 11:30 a.m.-1:30 p.m. and January 20, 2018 from 8 a.m.-Noon. He noted everyone was invited from Borough Council (BC), Planning Commission, and the RDA. Mr. LeClear stated snow dates would be February 9 and 10, 2018.
- Mr. LeClear noted there would be a joint meeting with RDA and BC on Redevelopment Authority law sometime in February or March 2018.
- He also noted he had a draft Memorandum of Understanding from the NDC to be reviewed.

A motion to approve the new contract was made by Mr. Shincovich and seconded by Mr. Hahn. The vote was unanimously in favor.

### **Work Program**

Mr. LeClear's overview included:

- Mr. LeClear asked Chairman Lenker to be available for the January 8, 2018 BC meeting to possibly present the 2018 work program.
- He also noted staff was putting an awareness campaign together for the Borough. Ms. Johannensen started a funding packet with a branding campaign. Mr. LeClear stated staff wanted the RDA involved with this process.
- Mr. LeClear stated Community and Economic goals centered on the State College Town Centre.
- He stated the Neighborhood Sustainability Program would focus on selling current inventory, purchase more homes, and develop the student home license buy-back program.
- He noted staff wanted to keep an eye on the possible redevelopment of the Fairmount Elementary School for the future.

- Mr. LeClear stated the proposed work program for the revolving loan and microenterprise funding would be for the future.
- He noted staff would manage the zoning update as it moved along.
- Mr. LeClear stated there would be a lot on the 2018 proposed work program and staff would continue to work on what they could with the time they had.

A motion was made to approve the work program by Mr. Shincovich and seconded by Mr. Hahn. The vote was unanimously in favor.

RDA's comments included:

- Mr. Hahn reminded the Authority he had seen a lot of small business loans (microenterprise funding) come through bankruptcy court.
- Mr. Hahn also stated he had been hearing long-term parking downtown was scarce and pricey. Ms. Lenker stated it would put a hardship for projects that had been proposed.

### **Official Reports and Correspondence**

Borough Council (BC): Mr. LeClear reported BC passed the Historical and Architectural Review Board for only full or partial demolition and new construction with a 6 -1 vote. He stated the enactment would come sometime June 2018. Mr. LeClear also stated the 2018 budget passed.

### **Upcoming Meeting**

The next scheduled meeting will be January 24, 2018 at 12:00 p.m.

### **Adjournment**

With no further business to discuss, Mr. Shincovich made a motion to adjourn the meeting at 12:46 p.m. with a second from Mr. Hahn.

Respectfully submitted,  
Denise L. Rhoads, Administrative Assistant

# SCB RDA Voucher Report

Check Date Range: 12/1/2017 to 12/31/2017

Page 1 of 2



VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
STATE COLLEGE BORO WATER AUTH	WATER AND SEWER	245 E HAMILTON - 10/6 - 10/26 - 6 MGAL	B114-14-42-00-0000-000-73366 - NSP08	33914	85.05
<b>Check Number 33914 Total:</b>					<b>85.05</b>
NITTANY PRINTING & PUBLISHING CO	ADVERTISING	REDEVELOPMENT AUTHORITY MEETING	B114-15-44-00-0000-000-72330	33949	88.33
<b>Check Number 33949 Total:</b>					<b>88.33</b>
COLUMBIA GAS OF PENNSYLVANIA	NATURAL GAS	372 CCF - 245 E HAMILTON AVE - 10/31 - 12/1	B114-14-42-00-0000-000-73362 - NSP08	33953	356.49
<b>Check Number 33953 Total:</b>					<b>356.49</b>
FIRST NATIONAL BANK	DEBT SERVICE - INTEREST	LOAN #46199915	B114-14-42-00-0000-000-95901 -	33962	19,788.70
<b>Check Number 33962 Total:</b>					<b>19,788.70</b>
S C BOROUGH GENERAL FUND	REPAIRS & MAINT - BUILDINGS	SPECIAL SIDEWALK ASSESSMENT	B114-14-42-00-0000-000-70372 - NSP05	34003	272.80
<b>Check Number 34003 Total:</b>					<b>272.80</b>
CENTRE REGION CODE ADMIN	PERMITS AND FEES	HOUSING PERMIT RENEWAL - HAMILTON	B114-14-42-00-0000-000-66255 - NSP08	34045	59.00
<b>Check Number 34045 Total:</b>					<b>59.00</b>
CENTRE REGION CODE ADMIN	PERMITS AND FEES	HOUSING PERMIT RENEWAL - HAMILTON	B114-14-42-00-0000-000-66255 - NSP08	34046	59.00
<b>Check Number 34046 Total:</b>					<b>59.00</b>
CENTRE REGION CODE ADMIN	PERMITS AND FEES	HOUSING PERMIT RENEWAL - GILL	B114-14-42-00-0000-000-66255 - NSP06	34047	59.00
<b>Check Number 34047 Total:</b>					<b>59.00</b>
CENTRE REGION CODE ADMIN	PERMITS AND FEES	HOUSING PERMIT RENEWAL - GILL	B114-14-42-00-0000-000-66255 - NSP06	34048	59.00
<b>Check Number 34048 Total:</b>					<b>59.00</b>
NATIONAL COUNCIL FOR COMMUNITY DEVELOPMENT	PROFESSIONAL SERVICES	TECHNICAL ASSISTANCE - NOVEMBER	B114-15-44-00-0000-000-67310	34077	7,500.00

# SCB RDA Voucher Report

Check Date Range: 12/1/2017 to 12/31/2017

VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
<b>Check Number 34077 Total:</b>					<b>7,500.00</b>
S C BOROUGH GENERAL FUND	REPAIRS & MAINT - BUILDINGS	SNOW VIOLATION	B114-14-42-00-0000-000-70372 - NSP06	34133	50.00
<b>Check Number 34133 Total:</b>					<b>50.00</b>
S C BOROUGH GENERAL FUND	REPAIRS & MAINT - BUILDINGS	SNOW REMOVAL VIOLATION	B114-14-42-00-0000-000-70372 - NSP06	34195	15.00
<b>Check Number 34195 Total:</b>					<b>15.00</b>
					28,392.37
<b>Fund B114 Total:</b>					<b>28,392.37</b>
<b>Grand Total</b>					<b>28,392.37</b>

# SCB RDA Voucher Report

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

Page 1 of 1



VENDOR NAME	ACCOUNT DESCRIPTION	DESCRIPTION	ACCOUNT	CHECK NO	AMOUNT
TRAVELERS CL REMITTANCE CENTER	PROPERTY INSURANCE	2018 PRIVACY POLICY	B114-14-42-00-0000-000-80351 -	34276	550.95
<b>Check Number 34276 Total:</b>					<b>550.95</b>
MCCARTNEY'S	OFFICE/MISC. SUPPLIES	OFFICE SUPPLIES	B114-15-44-00-0000-000-65210	34321	42.37
<b>Check Number 34321 Total:</b>					<b>42.37</b>
COLUMBIA GAS OF PENNSYLVANIA	NATURAL GAS	600 CCF - 245 E HAMILTON AVE - 12/1 - 1/4/18	B114-14-42-00-0000-000-73362 - NSP08	34380	565.72
<b>Check Number 34380 Total:</b>					<b>565.72</b>
PHILADELPHIA INSURANCE COMPANIES	PROPERTY INSURANCE	PROPERTY INSURANCE	B114-14-42-00-0000-000-80351 - NSP06	34428	151.00
PHILADELPHIA INSURANCE COMPANIES	PROPERTY INSURANCE	PROPERTY INSURANCE	B114-14-42-00-0000-000-80351 - NSP08	34428	68.00
<b>Check Number 34428 Total:</b>					<b>219.00</b>
MCCARTNEY'S	OFFICE/MISC. SUPPLIES	OFFICE SUPPLIES	B114-15-44-00-0000-000-65210	34588	29.99
<b>Check Number 34588 Total:</b>					<b>29.99</b>
					1,408.03
<b>Fund B114 Total:</b>					<b>1,408.03</b>
<b>Grand Total</b>					<b>1,408.03</b>

## **Borough of State College MEMORANDUM**

to: ABC Secretaries and Administrative Assistants  
from: Ed LeClear  
re: Conflict of Interest Policy and Code of Conduct with Regards to HUD Programs  
date: December 11, 2017

A Conflict of Interest Policy and Code of Conduct with regards to HUD Programs was adopted by the State College Borough Council in 2005. Elected and appointed officials are to receive a copy of the policy at a regular meeting of their respective council, authority, board or commission annually. Members who are absent should receive a copy by mail.

A copy of the policy is attached. Please include it as an agenda item or as an attachment to the agenda at the first meeting of the ABC in 2018. Also, please be sure to note distribution of the policy in the meeting minutes.

**from the desk of... Ed  
LeClear**  
Planning Director Borough of  
State College 243 South Allen  
Street State College, PA 16801  
[eleclear@statecollegepa.us](mailto:eleclear@statecollegepa.us)  
(814) 234-7109 Fax: (.814) 234-7197

## **BOROUGH OF STATE COLLEGE**

### **Conflict of Interest Policy and Code of Conduct With Regards 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 effect 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 another 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 sub-agreements.

### 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.