

**Meeting Minutes**  
**Rental Housing Revocation Appeal Board**  
**Wednesday, May 27, 2015**

The Rental Housing Revocation Appeals Board met on Wednesday, May 27, 2015 in Room 220 of the State College Municipal Building, 243 South Allen Street, State College, PA.

**I. Call to Order**

Mr. Williams called the meeting to order at 3:02 p.m.

**II. Roll Call & Introductions**

**Present**

Larry Miles  
Nicholas Ferraro  
David McClelland

**Also present:**

Terry Williams, Solicitor  
Tom Fountaine, Borough Manager  
Ed LeClear, Director of Planning & Community Development  
Sarah E. Smith, Recording Secretary  
Marc Alberio (via conference phone), President, Epsilon Alumni Control Board  
Tom Cook, Associate Alumni Advisor  
Chris Temple, Associate Alumni Advisor  
Tom Daubert, Chapter Advisor  
Kelly Aston, Community Relations and Crime Prevention Specialist  
Tim Knisely, Code Inspector, Centre Region Code Administration  
Centrice Mulfinger, Assistant to the Manager for Community Engagement  
Kevin Kassab, Supervisor of Inspection  
John Wilson, Zoning Officer

**III. Public Hour – Hearing of Citizens**

There were no members of the public who wished to speak on items not on the agenda.

**IV. Review of the Board's Responsibilities and Election of Officers**

- A. Mr. LeClear reviewed the responsibilities of the Board as set out in the Borough ordinances.
- B. Mr. Miles wished to serve as the Chairman and Mr. McClelland seconded the motion. The vote was unanimously in favor.

## **V. Call the Hearing to Order**

### **A. Advise the Board on Procedures**

Mr. Williams reviewed the procedure for the hearing. He reviewed the first few items in the hearing binder that was prepared by Borough staff and distributed to the Board members and to the Appellant at the hearing. These items included the legal notice, the appeal letters, the correspondence between the Appellant and the Borough, notes from the Administrative Review and background documents that were pertinent to the appeal. Mr. Williams reviewed the hearing procedures including the taking of testimony by both the Appellant and the Borough, the Board would discuss the case and then render a decision.

### **B. Swear in all who will be testifying**

Mr. Williams swore in all parties who wished to provide testimony.

### **C. Testimony**

Mr. Cook gave his testimony on behalf of Delta Sigma Phi and responded to questions from Mr. Williams. Next, Mr. Temple gave some additional testimony on behalf of Delta Sigma.

At 3:23 p.m., Mr. Albero joined the meeting via a conference call.

Mr. Fontaine gave his testimony on behalf of the Borough and responded to questions from the Board.

Mr. Albero gave his testimony on behalf of Delta Sigma Phi.

Mr. Cook and Mr. Fontaine gave their closing arguments on behalf of the Borough.

## **VI. Board Discussion**

At 3:31 p.m., the Board broke to discuss the case. At 3:34 p.m., the Board reconvened to render their decision.

## **VII. Board Decision**

Chairman Miles made a motion that the fraternity would need to accept the offered Consent Agreement or they would need to go into suspension. Mr. Ferraro seconded. The vote was unanimously in favor of the motion.

## **VIII. Approval of Minutes – July 9, 2012**

Chairman Miles made a motion to approve the minutes as submitted and Mr. McClelland seconded the motion. The vote was unanimously in favor of the motion.

**IX. Any Other Matters**

A. Conflict of Interest Policy – Mr. LeClear briefly reviewed the Borough’s Conflict of Interest Policy.

**X. Adjournment**

With no further business, the meeting adjourned at 3:40 p.m.

Respectfully submitted by:  
Sarah E. Smith, Staff Assistant