

**JOINT ARTICLES OF AGREEMENT**  
**OF THE**  
**CENTRE REGIONAL PLANNING COMMISSION**

This AGREEMENT is entered into this 24th day of January, 1986, by and among the Townships of College, Ferguson, Halfmoon, Harris, and Patton and the Borough of State College (hereinafter called the "municipalities"), County of Centre, Commonwealth of Pennsylvania, repealing and superseding the Articles of Agreement of the Centre Regional Planning Commission, dated September 1, 1960, as amended.

**BACKGROUND OF THIS AGREEMENT**

On September 1, 1960, the Townships of College and Patton and the Borough of State College joined together to form the Centre Regional Planning Commission, which included representatives from each of the aforesaid municipalities and The Pennsylvania State University. The Commission was organized under the Pa. Regional Planning Law, Act of May 29, 1956, P.L. 1845 (53 P.S. 491 et seq.).

Commission membership was later expanded to include representatives of the Townships of Ferguson and Harris on November 2, 1961 and the Township of Half Moon on December 6, 1965.

The Pennsylvania State University is a member of the CRPC for purposes of planning cooperation and communication, though it does not approve the CRPC annual work program and is under no obligation to financially contribute to the program budget.

On December 2, 1969, the municipalities joined together in a voluntary organization known as the Centre Region Council of Governments through adoption of the COG Articles of Agreement. The CRPC became an agency of COG. The COG Articles of Agreement require that each regional agency be established by separate joint municipal agreement which shall be enacted by local ordinance and filed together with a Joint Agreement with the Council of Governments.

The original CRPC Articles of Agreement adopted in 1960 do not reflect the relationship of the CRPC to COG or all of the Commission's current activities. These include certain duties and responsibilities of the Centre County Planning Commission, as specified in the Pa. Municipalities Planning Code, that were delegated to the CRPC in the Agreement of Relationship, dated March 16, 1982, between the Centre County Commissioners and the municipalities.

## PROVISIONS OF THIS AGREEMENT

Based on the foregoing, the municipalities agree and intend to be legally bound by the following:

**SECTION 1. ESTABLISHMENT OF COMMISSION:** The municipalities of the Centre Region Council of Governments do hereby create the "Centre Regional Planning Commission," hereinafter referred to as the "Commission."

**SECTION 2. PURPOSE:** The Commission is established to promote the health, safety, and general welfare of the Centre Region through effective development of the municipalities of the Region.

**SECTION 3. COMPOSITION:**

The composition of the Commission shall include one representative from each participating municipality and one from The Pennsylvania State University, all representatives having the right to vote. The governing body of each said municipality shall appoint its representative and determine the length of such appointment. In the event of a vacancy caused by death, resignation, or other reason, such vacancy shall be filled for the unexpired term by the University or participating municipality for which the vacancy exists. Each representative shall hold no elected municipal office.

3.2 The Commission shall elect a chairman, whose term shall not exceed one year and who shall be eligible for reelection. The Commission may also create and fill other offices as it may determine.

3.3 The representatives shall serve without salary, but all expenses incurred with prior approval of the Council of Governments in the performance of their duties shall be reimbursed to them.

**SECTION 4. DUTIES AND RESPONSIBILITIES:** The Commission shall have the following duties and responsibilities.

The Commission shall prepare and maintain a regional comprehensive plan, in accordance with the provisions of the MPC, for the guidance of the continuing development of the Centre Region. The Commission shall encourage the cooperation of the participating municipalities in matters which concern the

integrity of the comprehensive plan or maps prepared by the Commission and, as an aid toward coordination, all municipalities and public officials shall, upon request, furnish to the Commission within a reasonable time the available maps, plans, reports, statistics or other information the Commission may require for its approved work program.

- 4.2 The Commission may, in accordance with its approved work program, be charged with: (1) the preparation of reports and recommendations on regional problems and issues, such as, but not limited to, land use, transportation, water supplies and sewage disposal, housing, recreation, and environmental protection; (2) the maintenance of educational programs to familiarize the public with specific planning proposals; (3) the presentation of the regional point of view to state or Federal agencies contemplating legislation or public works affecting the Region; and, (4) aiding in the preparation of long term budget programs in accordance with the comprehensive plan. The Commission may also act as a helpful coordinating agency, and may function as a clearinghouse for information and consultation for the respective municipal bodies and for all agencies, public and private, which have any concern with planning in the Centre Region.

The Commission shall, upon request of the governing body of a participating municipality, and in accordance with the approved work program of the Commission, provide staff planning assistance and do planning work, including municipal comprehensive plans, surveys, land use studies, urban renewal plans, technical services and other elements of comprehensive planning and planning effectuation programs in and for any participating or member municipality.

Any proposed action of the governing body of a participating municipality relating to (1) the location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, or watercourse; (2) the location, erection, demolition or sale of any public structures located within the municipality; or (3) the adoption, amendment, or repeal of any official map, subdivision and land development ordinance, zoning

ordinance, or planned residential development ordinance shall be submitted to the Commission for its recommendations. The recommendation of the Commission shall be made to the governing body of the municipality within forty-five (45) days and the proposed action shall not be taken until such recommendation is made. If, however, the Commission fails to act within forty-five days, the governing body shall proceed without its recommendations.

Proposed actions included above which do not affect adjacent municipalities or the regional comprehensive plan may be delegated by the Commission to the planning staff for review and recommendation to the municipality in a manner and time established by said municipality.

- 4.5 Any proposed action of the governing body of any school district located within the Centre Region relating to the location, demolition, removal or sale of any school district structure or land shall be submitted to the Commission for its recommendations at least thirty (30) days prior to the execution of such proposed action by the governing body of the school district.

## **SECTION 5.**

**FINANCES, STAFF AND PROGRAM:** The Commission shall prepare an annual work program and budget for its operation for review and approval by the Centre Region Council of Governments General Forum.

- 5.1 The governing bodies of the municipalities shall have the authority to appropriate funds for the purpose of contributing to the operation of the Commission. The Commission, with the consent of the Council of Governments, may also: (1) receive grants from Federal or State governments, or from individuals or foundations, and shall have the authority to contract therewith; (2) appoint such employees and staff as it may deem necessary for its work, and contract with planners and other consultants for the services it may require to the extent permitted by its financial resources; and, (3) may perform planning services for any municipality which is not a member thereof and may charge fees for the work. The Commission may also prepare and sell maps, reports, bulletins or other material and establish reasonable charges therefore.

- 5.2 For the provision of planning services to member municipalities, the Commission may, with the consent of the Council of Governments, accept and utilize any funds, personnel, or other assistance made available by Federal or State governments or any of their agencies or from individuals or foundations. For the purposes of receiving and using Federal or State planning grants for the provision of urban planning assistance, the Commission may enter into agreements or contracts regarding acceptance or utilization of the funds or assistance.
- 5.3 For the administration of the planning program, the Council of Governments may appoint a director of planning who shall be, in the opinion of the Council of Governments and the Commission, qualified for the duties of his position. The director of planning shall be in charge of the administration of the program and shall exercise the powers and be subject to the duties that are granted by the Council of Governments in accordance with the Pennsylvania Municipalities Planning Code.
- 5.4 The Commission shall adopt bylaws establishing rules for the conduct of its business, which record shall be a public record. The Commission shall maintain and keep records of all receipts and disbursements, which records shall be available and shall be forwarded annually to the Council of Governments.

**SECTION 6. CHANGES IN MEMBER MUNICIPALITIES:**

- 6.1 The Commission may from time to time be enlarged to include representatives from other municipalities upon such terms and conditions as shall be agreed upon by the Centre Region Council of Governments.
- 6.2 Any member municipality shall have the right to withdraw from the Commission at the end of any calendar year by giving six (6) months written notice to the chairman of the Commission and to the governing bodies of the member municipalities.

**SECTION 7. RELATIONSHIP WITH OTHER COMMISSIONS:** Nothing in this Agreement shall abrogate, annul, modify, or otherwise affect in any way the duties and responsibilities of municipal planning commissions of participating members as specified in the MPC,

or of the Centre County Planning Commission as specified in the Agreement of Relationship, dated 16 March, 1982 between the Centre County Commissioners and the municipalities.

**SECTION 8. EXISTING COMPOSITION:** All current representatives to the Centre Regional Planning Commission may continue to serve until the end of their appointed term.

**SECTION 9. EFFECTIVE DATE:** The effective date of this Agreement shall be upon enactment by ordinance of this Agreement by the participating municipalities.

**JOINT ARTICLES OF AGREEMENT  
CENTRE REGIONAL PLANNING COMMISSION**

**TOWNSHIP OF COLLEGE**

Attest: *C. Thomas Lechner*  
Secretary

BY: *Fred Smith*  
Council Chairman

**TOWNSHIP OF FERGUSON**

Attest: *Mark A. Kelle*  
Secretary

BY: *Mark A. Kelle*  
Chairman, Board of Supervisors

**TOWNSHIP OF HALFMOON**

Attest: *Daniel R. Frank*  
Secretary

BY: *Edmund C. Kessling*  
Chairman, Board of Supervisors

TOWNSHIP OF HARRIS

Attest: Jama P. Murphy  
Secretary

BY: Christopher Lee  
Chairman, Board of Supervisors

TOWNSHIP OF PATTON

Attest: Christine T. Sperry  
Secretary

BY: Victor J. Dupuis  
Chairman, Board of Supervisors

BOROUGH OF STATE COLLEGE

Attest: Carl B. Lauerbach  
Secretary

BY: Mary Ann Haas  
Council President

Arnold Addison  
Mayor

THE PENNSYLVANIA STATE UNIVERSITY

Attest: Gracie Younginger  
ASSISTANT Secretary

BY: Steve A. Garland  
Senior Vice-President for  
Finance and Operations

APPROVED BY MUNICIPALITIES AS FOLLOWS:

<u>Municipality</u>	<u>Date</u>	<u>Ordinance Number</u>
Township of College	<u>9/12/85</u>	<u>86</u>
Township of Ferguson		<u>301</u>
Township of Halfmoon		<u>105</u>
Township of Harris	<u>9</u>	<u>85-205</u>
Township of Patton	<u>9</u>	<u>1113</u>
Borough of State College	<u>9</u>	

**EXCERPT FROM THE  
PA MUNICIPALITIES PLANNING CODE**



**Section 209.1. Powers and Duties of Planning Agency.—**

- (a) The planning agency shall at the request of the governing body have the power and shall be required to:
- (1) Prepare the comprehensive plan for the development of the municipality as set forth in this act, and present it for the consideration of the governing body.
  - (2) Maintain and keep on file records of its action. All records and files of the planning agency shall be in the possession of the governing body.
- (b) The planning agency at the request of the governing body may:
- (1) Make recommendations to the governing body concerning the adoption or amendment of an official map.
  - (2) Prepare and present to the governing body of the municipality a zoning ordinance, and make recommendations to the governing body on proposed amendments to it as set forth in this act.
  - (3) Prepare, recommend and administer subdivision and land development and planned residential development regulations, as set forth in this act.
  - (4) Prepare and present to the governing body of the municipality a building code and a housing code and make recommendations concerning proposed amendments thereto.
  - (5) Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by this act.
  - (6) Prepare and present to the governing body of the municipality an environmental study.
  - (7) Submit to the governing body of a municipality a recommended capital improvements program.
  - (7.1) Prepare and present to the governing body of the municipality a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
  - (8) Promote public interest in, and understanding of, the comprehensive plan and planning.
  - (9) Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
  - (10) Hold public hearings and meetings.
  - (10.1) Present testimony before any board.
  - (11) Require from other departments and agencies of the municipality such available information as relates to the work of the planning agency.
  - (12) In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
  - (13) Prepare and present to the governing body of the municipality a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the municipality.
  - (14) Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan.