



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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October 19, 2016

Sue Mascolo, Chair
Centre Region Parks and Recreation Authority Board
2643 Gateway Drive
State College PA 16801

Subject: Patton Township Position on Regional Park Funding

Dear Ms. Mascolo:

Please be advised that following discussions among the Supervisors and concerns raised relative to the existing regional park projects, the Patton Township Board of Supervisors, an elected body representing the citizens of Patton Township, is formally notifying the Centre Region Council of Governments (“COG”) Parks Capital Committee and the Centre Regional Parks and Recreation Authority (“CRPRA”) Board of its intent relative to the COG regional park projects and the Joint Articles of Agreement for the Planning, Development and Operation of “Regional Parks” (“Articles”) executed on November 27, 2006, by the Participating Municipalities/COG Municipalities as identified therein.

By way of background, the COG Municipalities entered into good faith discussions regarding the formula for and limits to funding to be provided to regional parks under the above-referenced Articles and at the conclusion of those discussions, Patton Township met its obligations per the resulting unanimously approved agreements for the initial development of those parks. At no time, formally or informally, did Patton Township or any other municipality acknowledge that it was committed to full funding of master plans that might be developed as part of park planning under the auspices of the aforementioned Articles. In fact, on numerous occasions, including a meeting of the Parks Capital Committee on September 16, 2010, the Patton Board’s representative explicitly stated to the Committee that Patton’s agreement to approve a site plan did not translate into any commitment of funds or timeline.

Subsequent to those discussions, the COG Municipalities entered into certain financing to assist in the regional parks’ development by the CRPRA and that included financing with Fulton Bank as well as guaranties of the same by the Participating Municipalities. There has not been, nor is there presently pending, any further financing or requests for additional encumbrances for any further expenditures beyond those currently approved and considered as part of the funding through Fulton Bank. Patton remains committed to that funding, and that funding only, at the present time.

In the Articles, specifically Sections 7.1(a) and (b), “park planning” and “park development,” requirements for the parks’ development process are noted but they are separate and distinct aspects of the same. Additionally, Section 4.4 states “revisions to the Master Site Plan must be approved by the *unanimous* vote of the Participating Municipalities” and that no development of the regional parks can occur unless such plans are revised to include required changes. The varied language of these provisions provides for all municipalities to be involved in the decision making regardless of whether or not CRPRA has proceeded with planning and/or has received funding. At the present time, the only funds committed are those that have been approved through the financing with Fulton Bank.

The CRPRA has not expended the funding previously allocated to it for the purposes of regional parks and, therefore, has not experienced a loss that would cause the Participating Municipalities to be in any form of contractual breach or obligation for payment. The only process by which CRPRA could expend funds beyond the previously allocated funding would be for the CRPRA to act contrary to the wishes and without the unanimous approval of the Participating Municipalities for funding which the Articles has established and confirmed precedent regarding the same.

At the present time, the Patton Township Board of Supervisors has decided to not provide any additional municipal funds for regional parks’ expenses, direct or indirect, beyond the funding that has already been provided and/or committed through present executed financing. Furthermore, the Township is prepared to take any and all steps necessary to prevent a misappropriation of Township funds, including withdrawing from the Articles, understanding that the current obligations through Fulton Bank would be continuing despite such withdrawal.

Sincerely,



Elliot Abrams, Chair
Patton Township Board of Supervisors

- cc: E. Bernier, Chair, General Forum
C. Hurley, Patton representative to CRPRAB
E. Dupuis, Township Solicitor
D. Erickson, Township Manager
J. Steff, COG Executive Director
P. Solokangas, CRPR Director

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