

COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING
JULY 26, 1984
4:00 PM

Chairman Taricani called to order a meeting of the College Township Council on July 26, 1984 at 4 pm, in the College Township Municipal Building.

Members present: Max E Hartswick, Fred E Smith, Herbert W Stewart,
Dolores A Taricani - Chairman

Member absent: Gale L Dargitz

Others present: C Thomas Lechner - Manager
Beulah L Houser - Administrative Assistant

1. Charles Rallis's Request to Rezone Land from U-R to C-1 - Designating Date for Public Hearing

Explaining Council's options on the matter, Taricani said Council could either take no action on Rallis's request for a Public Hearing to rezone a portion of his land from U-R to C-1 or schedule a time for the Public Hearing to be held. As a general rule, Taricani advised giving an applicant an opportunity to provide information.

Stewart then moved and Smith seconded that Council schedule a Public Hearing on the Rallis request for a zoning change for the next regular meeting. With some discussion among the staff and Council, it was decided that because of the August meeting's full agenda, Smith should amend his motion to schedule the Rallis Public Hearing on September 13. If a full agenda is anticipated on that date, the Public Hearing will either be held over until the next meeting or the Council meeting can begin at 7 pm.

2. Clover Highlands PRD Tentative Plan Approval

To open the discussion, Taricani summarized Council's reaction to the Public Hearing, saying there was no serious objection to the PRD, however, Council was concerned about traffic generated from the development in general and the convenience store in particular. Taricani then asked Bob Watkins, Senior Planner for the Centre Regional Planning Commission, to present his memo of July 26, 1984 concerning the Clover Highlands PRD.

Watkins stated most of his concerns could be worked out when the plan received final approval by using the design standards of the Zoning, Subdivision, and Storm Water Management Ordinances. However, he emphasized that two conditions should be met for final approval, these being (1) that the final plans of each phase be reviewed by the College Township Planning Commission, and (2) that a legal agreement be established covering the following:

1. The developer will improve and landscape the common open space and walkways as described in the PRD statement of the intended plan.
2. The developer will install standardized parking restrictions necessitated by bus service and street design.
3. The developer will install street or walkway lighting.
4. The developer will provide improvements to the intersection of Clover Road and East College Avenue including a traffic signal according to PennDOT's standards as soon as allowed by PennDOT.

A discussion took place with Tom Songer, Uni-Tec Engineer, asking if he meant allowed or required by PennDOT. Watkins replied that he and Lechner had deliberated over the term and whether the time allowed was the time that is required. Watkins stated that as soon as it is allowed by PennDOT, the Township would want the traffic light installed, which was why they were saying "allowed."

Smith questioned the phrase "The developer will landscape all open areas" as too vague, but Songer said a landscape plan was incorporated with each phase that was to be approved by the Township.

With the subject of phases, Smith also asked when the second access would be completed. Both Smith and Taricani were concerned that there would be a need for it before it was actually built. Calvin Zimmerman, developer of the PRD, replied that it was to be constructed in the fourth or fifth phase or in the halfway point in the development.

Next the Council questioned the necessity of the convenience store and the fact it might present a traffic hazard. Taricani felt traffic would become stacked up on East College Avenue because of cars waiting to make left-hand turns to the store.

Zimmerman then asked if Council would approve a convenience store at that intersection at the time of a traffic signal being installed there. Taricani indicated that would solve the problem, and Council agreed.

The discussion then returned to timing of the traffic signal installation. Songer again objected to the word "allowed" in the Watkins memo, saying they might allow us to put one in now but is it really necessary? He asked if it could be stated as "recommended" or "required" by PennDOT.

Taricani responded that PennDOT does not always recommend a light when one is necessary and she suggested that a traffic light be installed at that intersection when "deemed" necessary by either PennDOT or College Township.

Then Zimmerman broached the subject of obtaining a Building Permit before the streets were built and asked if the policy could be re-established that the Township waive the Water and Sewer Permits during construction as long as the developer has posted a surety bond for the streets and utilities (which he must do for final plan approval). Then the Occupancy Permits would be issued to the developer after the streets were in. Zimmerman indicated the problem developed when he requested a Building Permit from the Code Office but was denied because the Township would not waive the sewer and water requirement.

Asked by Taricani why the Code Office thought the Township's policy had changed, Lechner replied that all Code wanted was a confirmation indicating it was alright to issue a Building Permit on the basis that the water and sewer would be put in. If it wasn't, they wanted a guarantee that it would be.

After much discussion, it was decided the issue was an administrative one. Taricani asked Lechner to contact Mr. Quigley and inform him of the Township policy that allows developers to build structures as the streets are built as long as utilities are in place or the developer provides a surety bond to cover the cost of utility construction.

Asking Council to return to the consideration of the PRD, Taricani said the items that were critical in addition to the Watkins memo were Item D - The developer will provide improvements to the intersection of Clover Road and East College Avenue including a traffic signal according to PennDOT's standards as soon as it is deemed necessary by either College Township or PennDOT; Item E - The convenience store would not be constructed until a traffic signal was in place at the intersection of Clover Road and East College Avenue; and Item F - After the fourth phase is completed (or mid-way in the development) another access will be provided to Clover Highlands PRD.

Smith then moved and Hartswick seconded that Council approve the Clover Highlands PRD Tentative Plan subject to the restrictions stated in the Bob Watkins memo dated July 26, 1984, and incorporating items A, B, C, D, E, and F. There was no further discussion on the matter and the motion carried.

4. Chairman's Signature on Resolution #104, The Snow Removal Agreement

The Chairman's signature was secured on three copies of Resolution #104, the Snow Removal Agreement.

5. Resolution #68-C, Stop Signs at Orchard Road/Park Avenue Extension and the Hospital Entrance Road/Park Avenue Extension

6. Resolution #29-A, Speed Limit on Orchard Road

Taricani suggested both Resolutions be considered simultaneously and Smith moved that Council adopt both Resolutions 68-C and 29-A. After Hartswick's second, the motion carried.

At 4:45 pm, with business concluded, Hartswick moved and Smith seconded the adjournment of the meeting to go into a work session.

Respectfully submitted,

C Thomas Lechner
Secretary

CTL:jh:key

*** MANAGER'S UPDATE ***

MEETING HELD JULY 12, 1984

1. Refer Alex Woskob's Preliminary-Final Plan for a two-lot subdivision on Clyde Avenue to the Township Solicitor for an interpretation of the Zoning Ordinance before Council takes action.

RESPONSE: See Attached Response from Solicitor Reed McCormick
relative to this subject.

MEETING HELD JULY 26, 1984

1. Contact Mr. Quigley and inform him of the Township policy that allows developers to build structures as the streets are built as long as utilities are in place or the developer provides a surety bond to cover the cost of utility construction.

RESPONSE: An Administrative Policy addressing this issue was
released for Mr. Quigley and a copy was also sent to
Dave Allison of the College-Harris Jt. Authority.

Correspondence

DUNAWAY, WEYANDT, McCORMICK & JONES

ATTORNEYS AT LAW
919 UNIVERSITY DRIVE
STATE COLLEGE, PA. 16801

WYLAND P. DUNAWAY
ED McCORMICK
CHARLES J. WEYANDT
ALFRED JONES, JR.
ANTHONY J. GERACE, JR.

AREA CODE 814
207-6272

July 10, 1984

RECEIVED

JUL 11 1984

COLLEGE TOWNSHIP

K. Ronald Weis, Chairman
College Township Planning Commission
313 Hill Drive
State College, PA 16801

Re: Proposed Subdivision of lot along Clyde Avenue,
College Township, presently owned by Woskob

Dear Ron:

At Tom Lechner's request and as requested by Marlowe Froke at the Planning Commission meeting where the above-captioned case was considered, I have been asked to render my opinion as Township Solicitor regarding a proposed subdivision.

According to my analysis of the facts, the subdivision would require access from Clyde Avenue. Clyde Avenue is a private street. Of course, if it were a public street, College Township Subdivision Regulation 4.2.1 would control. Because Clyde Avenue is not dedicated and accepted by College Township, Subdivision Ordinance Section 2.1.2.1 controls and this requires that no more than three lots can use a private street as access. Therefore, it is my opinion that the College Township Subdivision Ordinance, by its literal application, would not allow for the requested subdivision.

Nevertheless, I am aware from personal experience that several efforts have been made to convert Clyde Avenue into a Township street. These efforts were made during the time that Elwood Williams was manager and they have continued since Mr. Lechner became manager. It has been my impression that the Township would be willing to accept Clyde Avenue as a public street but it has been unable to do so because the various property owners along Clyde Avenue have been unable to coordinate their efforts to meet the requirements of the Township to accept same as a public street. But, as we are all aware, Clyde Avenue is paved and used, almost as if it were a public street, and we would be receptive to a coordinated effort by all the property owners to formally receive it as a public street.

Therefore, I would recommend and suggest that if the owner would agree to all terms and conditions of the Township for dedication of the street as are contained in its Ordinance and have been expressed to the various property owners over the years, the subdivision could be approved. I would strongly recommend that

K. Ronald Weis, Chairman

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July 10, 1984

all of the requirements be set forth in a formal document and on the subdivision plan so there could be no misunderstanding as to what the Township would expect from the present owner or anyone purchasing from the present owner. These requirements would include the offer of a deed of dedication, a one-year maintenance bond on the cartway, as well as the other various ordinance requirements: So that the affected party will understand that the Township has attempted to work with this problem over an extended period of time, I attach hereto copies of correspondence from Mr. Lechner to Mr. Miller dated May 10, 1984, which relates to the property of Stowaway (Diversified Associates). I also enclose a letter from Mr. Lechner of September 29, 1982, directed to Diversified Associates, and I also enclose a letter from Stanley L. Hoy, written on September 27, 1982, as Township Engineer, which also addresses the same issues.

In addition to the technical legal issues raised by the Woskob request, the practical problems of snow plowing, pot hole repair and general maintenance of this street regularly arise. Of course, we must always seek compliance with our ordinances, but in this case we must consider the practical issues that we have worked with for many years. Personally, I would welcome the Woskobs, in concert with the other property owners along Clyde Avenue, joining in a mutual effort to meet the Township requirements for public dedication of Clyde Avenue.

Sincerely,



Reed McCormick

RM:nsc

Enclosures

cc: C. Thomas Lechner,
Township Manager ✓

COLLEGE TOWNSHIP FINANCIAL REPORT

Cash Position for the 7 months ended 7/31 19 84

		<u>CURRENT</u> <u>MONTH</u>	<u>YEAR TO</u> <u>DATE</u>
BEGINNING:			
Cash	<u>5,402.00</u>		
Investments	<u>209,285.00</u>		
Accounts Receivable	<u>-0-</u>		
LESS Accounts Payable	<u>4,262.00</u>		
Fund Equity		<u>210,425</u>	
Revenues		<u>78,129</u>	<u>586,920</u>
Total Available for Appropriation		<u>288,554</u>	
LESS Expenditures		<u>84,775</u>	<u>441,987</u>
ENDING:			
Cash	<u>(30,602.00) *</u>		
Investments	<u>237,742.00</u>		
Accounts Receivable	<u>-0-</u>		
LESS Accounts Payable	<u>3,462.00</u>		
UNAPPROPRIATED FUND EQUITY		<u><u>203,678</u></u>	

*Checks written to record expenditures in the month, but held past the last day of the month.

COLLEGE TOWNSHIP FINANCIAL REPORT

BUDGET AND ACTUAL APPROPRIATIONS - ALL FUNDS for the 7 month(s) ended 7/31 1984
 1983 1984

ACC'T.	CLASSIFICATION	1983		1984			BUDGET REMAIN. for '84	PROJECT. REMAIN. for '84	ACTUAL ± to '84 BUDGET
		BUDGET 1983	ACTUAL Y-T-D	BUDGET 1984	ACTUAL MONTH	ACTUAL Y-T-D			
ASSETS									
100	Beginning Cash	\$ 31,485	\$ 31,485	\$ 58,810	\$ N/A	\$ 58,817	\$ 203,750	\$ 203,678	\$ (72) \$
REVENUES									
300	Taxes: Property	152,304	146,824	162,804	16,178	151,471	11,333	7,000	(4,333)
	Licensing	312,000	194,190	324,500	34,931	226,031	98,469	120,000	21,531
320	Licenses & Permits	190	2,823	5,500	1,544	5,935	(435)	1,800	2,235
330	Fines & Forfeits	41,000	25,164	44,000	3,720	27,452	16,548	25,000	8,452
340	Interest & Rents	25,900	15,975	30,300	3,684	21,019	9,281	12,500	3,219
350	Intergovern. Revenues	137,659	107,854	151,265	13,848	116,534	34,731	27,500	(7,231)
360	Charges for Services	28,788	17,174	38,150	3,923	23,689	14,461	15,000	539
380	Miscellaneous	7,022	5,638	1,800	1	14,789	(12,989)	100	13,089
	TOTAL REVENUES	\$704,863	\$ 515,642	\$758,319	\$ 78,129	\$586,920	\$ 171,399	\$ 208,900	\$ 37,501
	TOTAL AVAILABLE for APPROPRIATION	\$736,348	\$ 547,127	\$817,129	\$ N/A	\$645,737	\$ 375,149	\$ 412,578	\$ 37,429
EXPENDITURES									
400	Gen. Gov't.: Administ.	\$109,880	\$ 69,322	\$119,380	\$ 12,544	\$ 68,094	\$ 51,286	\$ 54,100	\$ 2,814
	Tax. Coll.	41,355	25,076	44,340	3,025	26,072	18,268	18,000	(268)
	Sub-Total 400	151,235	94,398	163,720	15,569	94,166	69,554	72,100	2,546
410	Public Safety:								
	Police	178,003	98,567	195,845	11,262	110,257	85,588	83,500	(2,088)
	Fire	26,865	17,694	31,565	7,507	22,432	9,133	7,650	(1,483)
	Planning & Zoning	27,225	19,245	30,155	6,053	21,348	8,807	9,361	554
	Sub-Total 410	232,093	135,506	257,565	24,822	154,037	103,528	100,511	(3,017)
420	Health & Welfare:								
	Sanitation	1,000	239	1,000	211	1,057	(57)	750	807
430	Highways:								
	General Maintenance	45,000	31,345	61,311	5,124	30,989	30,322	24,000	(6,322)
	Snow Removal	24,770	7,271	26,635	288	21,641	4,994	5,000	6
	Traffic Signals	5,800	1,818	13,650	325	9,351	4,299	3,000	(1,299)
	Street Lights	8,760	4,992	8,900	716	4,944	3,956	3,600	(356)
	Highway Maintenance	50,300	27,221	50,540	4,954	27,594	22,946	21,000	(1,946)
	Construction Proj.	40,790	32,737	25,535	-0-	-0-	25,535	29,000	3,465
	Sub-Total 430	175,420	105,384	186,571	11,407	94,519	92,052	85,600	(6,452)
440	Transportation:								
	Transit System	18,168	10,758	12,725	-0-	6,060	6,665	6,895	230
450	Culture Recreation:								
	Parks & Recreation	41,625	36,640	43,283	17,113	38,505	4,778	5,000	222
	Libraries	24,889	18,291	28,913	7,229	21,685	7,228	7,228	-0-
	Senior Citizens	6,171	1,363	5,738	1,434	4,873	865	2,000	1,135
	Sub-Total 450	72,685	56,294	77,934	25,776	65,063	12,871	14,228	1,357
470	Debt Service:								
	Principal & Interest	17,262	7,297	16,646	1,011	7,077	9,569	9,569	-0-
480	Miscellaneous:								
	Employee Benefits	37,000	14,395	42,158	5,878	20,005	22,150	18,500	(3,650)
	TOTAL EXPENDITURES	\$704,863	\$ 424,271	\$758,319	\$ 84,775	\$441,987	\$ 316,332	\$ 308,153	\$ (8,179)
	REMAINDER for APPROPRIATION	\$ 31,485	\$ 122,856	\$ 58,810	\$ N/A	\$ 203,750	\$ 58,817	\$ 104,425	\$ 45,608

COLEGE TOWNSHIP CASH FLOW REPORT

BASED ON 1983 MONTHLY FLOW PERCENTAGES

July 31, 1984

	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEPT	OCT	NOV	DEC
CASH - BEGINNING BALANCE	38815	20915	32815	18015	159215	107715	160215	149115	128715	127615	119015	110015
PLUS - PROJECTED REVENUES	10000	35800	22700	21500	57600	40000	57200	45200	58700	58600	46700	24500
LESS - ANTICIPATED EXPENSES	33000	33100	31300	17900	45100	47500	58300	62500	45900	71200	48700	51300
CASH - ENDING BALANCE	29915	32615	18015	159215	107715	160215	149115	128715	127615	119015	110015	58815

CURRENT MONTH	YEAR-TO-DATE	
	ESTIMATED	ACTUAL
CASH - BEGINNING BALANCE	160215	210425
PLUS - PROJECTED REVENUES	57200	78129
LESS - ANTICIPATED EXPENSES	7300	8475
CASH - ENDING BALANCE	149115	203779

CURRENT MONTH	ACTUAL	
	ESTIMATED	ACTUAL
CASH - BEGINNING BALANCE	58817	58817
PLUS - PROJECTED REVENUES	58600	57120
LESS - ANTICIPATED EXPENSES	44600	42197
CASH - ENDING BALANCE	149115	203779

YEAR-TO-DATE	ACTUAL
ESTIMATED	ACTUAL
58817	58817
58600	57120
44600	42197
149115	203779