

SPECIAL COUNCIL MEETING

MONDAY JULY 31, 1978

12:00 NOON

AGENDA

- 1. OPEN BIDS ON RESURFACING PROJECT**
- 2. C.A.T.A. BUDGET**
- 3. ZAMRIK CASE**
- 4. ANY OTHER BUSINESS THAT MAY LEGALLY COME BEFORE COUNCIL**

COLLEGE TOWNSHIP COUNCIL

SPECIAL MEETING

JULY 31, 1978

A Special Meeting of Council was called to order at 12:10 p.m.

Members present: John H. Ziegler, Clarence E. Trotter, J. Carroll Dean, and

Donald E. Bailey

Members tardy: Dolores A. Taricani arrived at approximately 12:18 p.m.

Others present: Manager Elwood G. Williams, Sr.

Township Solicitor Reed McCormick

Township Representative to C.A.T.A. Kenneth Babe

Centre Daily Times Reporter Bob Frick

Item 1. Opening of Bids for Road Work to be done on Orchard Road, Elm Street, Shady Drive, Merry Hill Road, and 3 fairly large sections of Mt. Nittany Road. Bids were received as follows:

Spring Creek Paving & Construction, Inc.\$ 9,110.35
P. O. Box 381
State College, PA 16801

D. E. Smith & Company\$ 8,986.75
R. D. 2, Box 105
Mifflintown, PA 17059

Glenn O. Hawbaker, Inc.\$10,088.85
325 W. Aaron Drive
State College, PA 16801

Dean commented on the unsatisfactory work that had been done previously by the D. E. Smith Company in the Township and in view of a difference of only \$123.60 between the Smith bid and the next higher one, Spring Creek Paving & Construction, Inc., he suggested that Council not accept the bid from D. E. Smith.

After further discussion on this subject, Dean moved that Council accept the bid from Spring Creek Paving & Construction Inc. in the amount of \$9,110.35,

if all requirements are met. Trotter seconded this motion. Councilman Taricani arrived at the meeting and was brought up to date on what business had been transacted. The motion was unanimously carried.

Item 2. C.A.T.A. Budget. Mr. Babe stated he had asked to come before Council for their support on what he had done or instructions as to how he should proceed from here, and to present the problem of the C.A.T.A. Budget as he knew it. Discussion followed which involved the State College Municipality not approving several items in the budget, specifically, several salary increases. The Boro had instructed the Finance Officer not to issue the increases. Mr. Babe said they had not disclosed their reasons for not approving these items. He stated he had worked on the budget and felt it was quite reasonable. Dean said he felt that not just one of the participating municipalities has the right to dictate the internal workings of the Authority. Council was in agreement.

Ziegler received a letter on July 27, 1978 from Paul Rigoy relative to a meeting to be held on August 22 at 3:00 p.m. to discuss this matter. All representatives of the participating municipalities and other officials are to attend.

Dean moved that Council support Kenneth Babe, College Township Representative to the Centre Area Transportation Authority, and his actions. Bailey seconded this motion and it was unanimously carried.

Item 3. Zamrik Case. Taricani made a short report to Council - before they became involved in the discussion of the Zamrik Case - about events that had happened prior to the meeting. She stated she had been contacted by the Zoning Officer, per instructions from the Manager, for some background information on the decision handed down by the Zoning Hearing Board of which she had been a member at the time of the request for variance from Zamrik. When the variance had been requested for the construction of Zamrik's E-Z Market Building,

the plan was presented to the Zoning Hearing Board by Landscape II for approval and was presented improperly. Taricani and the Township Solicitor decided that before anything else is done on this, Zamrik must submit a drawing by a licensed professional engineer, drawn to scale, and indicating where the building is located on the property, etc., possibly before Council's special meeting today. This has not been done.

At Council's last regular meeting, a letter had been received from Zamrik setting forth a proposed cash settlement in lieu of removal of the rear of his building on East College Avenue as stated by the Court Order issued to Zamrik and which 30-day time period to appeal had expired on July 8.

After a lengthy discussion on: the location of the building on the lot, the "illegal" canopy removal, landscaping not completed, and a request for a new addition to the front of the building, etc., Mr. Trotter moved that Council turn down the Cash Settlement Offer as presented by Zamrik. This was seconded by Taricani and unanimously approved.

After further discussion by Council regarding submission of a counter-proposal, Taricani moved that Zamrik either have removal of the canopy or compliance with Judge Richard Sharp's Order within 14 days of notice (August 14, 1978). Bailey seconded this motion and it was unanimously carried. Solicitor McCormick confirmed this action. It was also indicated that the work is to be completed by August 14, 1978, at which time Council will petition the Court for compliance.

The Chairman requested that when anything is done by or requested of the Zoning Officer to or from Zamrik that it be done in writing and that all drawings submitted in the future are to be done by a registered engineer. Taricani suggested that the Manager caution the Zoning Officer to be extremely careful of what is said to Zamrik.

Dean stated that due to the fact that "other things" were occupying his time right now, the further research on the Water Study for College Township is at a standstill. He apologized to Council for this. The Manager is to find out who Dean can contact in the DCA Office in Harrisburg for further information. Ziegler received a letter from the Lemont Water Company Secretary, Elmer Tewksbury, indicating that they would be most happy to cooperate with Council in any way they could.

A Public Utilities Commission Hearing has been set to acquire the Railroad Crossing Right-of-Way on Whitehill Street in Lemont. It is scheduled for August 23, 1978, to be held at the Bellefonte Borough Council Hall. A request for a change in meeting place has been made by the Manager to the P.U.C. Office. The person responsible for scheduling these meeting places was out of the office but would get back to Mr. Williams on Tuesday, August 1, 1978.

Notices of Weed Violations were sent out to PennDOT and ConRail. PennDOT replied that they did not have to comply with the Township Ordinance. (They have been cutting them every year a notice has been sent out previously.) ConRail replied they had sprayed the weeds in the Lemont area and College Township approximately two weeks before.

Discussion was held concerning the Manager authorizing the Township Engineer to review plans.

The Township has acquired three new signs to be used for zoning changes requested. One has been installed on the Thomas Witmer property along Route 322 near the present Penn Hi-Boy Motel. These signs will also be used for variance requests to the Zoning Hearing Board.

Ziegler informed Council that the Township had been criticized for getting involved in private industry. The Manager informed Council that as a result of a fire at Culligan's place of business, the Township had been offered approximately 100 tons of salt (worth approximately \$2,000) that can be used for the roads this winter. It had been given to the Township just for hauling it away. The Township, in turn, hauled the sacks to the Solid Waste Station for Culligan because they were not allowed to burn them.

No other business was brought before Council so the meeting adjourned at 1:25 p.m.

Respectfully submitted,

Elwood G. Williams, Sr.
Secretary

EGW:bh