

COLLEGE TOWNSHIP COUNCIL

REGULAR MEETING

THURSDAY, OCTOBER 13, 1983

A regular meeting of the College Township Council was called to order at 7:30 pm by Chairman Gale Dargitz on Thursday, October 13, 1983, in the College Township Municipal Building.

Members present: Gale L. Dargitz - Chairman, J. Carroll Dean, Herbert W. Stewart

Members absent: Donald E. Bailey, Dolores A. Taricani

Others present: C. Thomas Lechner - Manager
Beulah Houser - Administrative Assistant
Robert L. Hayden - Treasurer

MINUTES OF PREVIOUS MEETINGS

The minutes of the September 8, 1983 meeting and the September 22, 1983 meeting were approved as distributed. (It was noted that the minutes of the September 29, 1983, workshop meeting did not need approval.) Stewart moved; and Dean seconded.

MANAGER'S UPDATE

Under Item 6 of the September 8, 1983 meeting (Pike Street Turnback), Lechner reported that in a conversation with George Khoury of PennDOT, he realized that PennDOT had decided College Township would not accept Pike Street under any circumstances. Apparently PennDOT had drawn this conclusion from the erroneous headlines of a newspaper article instead of the letter that Lechner sent, which explained that Council would consider the Pike Street Turnback after PennDOT stated specifically the improvements they would make. Lechner said that after he reaffirmed Council's serious intent on the issue, Khoury stated that they would

evaluate the street again and report back to Lechner but it will take some time.

Under Item C-1 of the September 8, 1983 Agenda (Request for Deaf Child Signs), Lechner reported the signs have arrived and are in the process of being erected. He added that Police Officer Jeff Callan checked regulations and found it permissible to leave the "Watch for Children" signs standing. The "Deaf Child Area" signs can be mounted on the same pole if necessary.

FINANCIAL REPORT

Treasurer Robert Hayden reported that at the nine-month point revenues were about one percent over the amount projected and expenditures were about one percent under. This is tighter than the eight-month report, he said.

Lechner advised Council he would have to be conservative in order to establish a cash reserve going into 1984. Ideally, the cash reserve should be 10 percent of the budget, he said, which in our case should be approximately \$70,000. The budget, as structured, will only produce a cash reserve of \$31,000. He added that only if the Township receives more revenues than anticipated, which is likely, can that cash reserve be increased.

Dean questioned the \$13,901 expenditure under the category of Construction Projects. Although Lechner explained that the figure accounted for part of a truck purchase that was pro-rated to projects and maintenance, Dargitz thought it should be classified as a capital expenditure.

After some discussion, Dean moved; Stewart seconded, and Council agreed that the Financial Report be accepted.

CORRESPONDENCE

1. PUC Directive to Remove Crossbucks and Warning Signs

A letter dated October 5, 1983, from the PUC with a copy of recent proceedings was sent to Solicitor Reed McCormick informing him that within 60 days College Township must remove all reflectorized crossbucks and advance warning signs from the 23 crossings on the Penn Central Transportation Company's tracks. Lechner explained that the PUC had made an unsuccessful attempt to employ a salvage company to do the work. Now they have ordered the Townships involved to remove the crossbucks and warning signs with no direction as to who covers the expense. Lechner added that he sent a protest to the PUC because he didn't have the manpower, the equipment, or the time to accomplish the project within 60 days.

To Dean's question concerning what jurisdiction the PUC had over College Township, Lechner replied that, according to McCormick, we could be taken to court and fined.

Both Dean and Dargitz expressed puzzled responses to the situation. When Dean noted it was unclear that only the rail facilities be removed at crossings and that some crossings were still an active part of the line, Lechner mentioned that an exception was filed and the specific crossings where facilities were to be removed identified.

In summarizing the issue, Dargitz stated that Council was requesting more information and clarification on the directive. He asked Lechner to send copies of the PUC order and letter to both Doyle Corman and Ruth Rudy telling them that Council believes the directive to be unreasonable and asking them to look into the situation, Dargitz asked Lechner to keep Council informed of events.

2. Minority Small Business Week

In response to a letter from J. M. Copp, dated September 14, 1983, with an attached copy of President Reagan's Proclamation that the week of October 2 through 8, 1983 be designated as "Minority Small Business Week", ~~the~~ ^{DARGITZ} pronounced it "so recognized".

PLANS FOR APPROVAL

Final Plan, Spring Creek Estates, Lots 88 and 89

Uni-Tec Engineer, Pat Ward presented for Council's approval the Final Plan for replotting Lots 88 and 89 in Spring Creek Estates. Ward explained that as a result of a house in the two-lot subdivision being built forty-three hundredths of a foot over the setback line, the bank would not grant approval of the mortgage until the property is re-subdivided within the correct setback line. Ward stated that they had altered the property line to accommodate the setback requirement with both properties still containing the same number of acres and with the exterior property corners remaining in place.

When Dargitz inquired about an adequate setback being drawn on the plans when the permit was granted, Ward replied that the foundation of the house was misplaced according to the plans and the property owner did not notice the mistake until the house was half built.

The discussion that followed disclosed that this situation was not uncommon and that a follow-up on the Zoning Permits was seldom made. Council was concerned that they actually had no control over a structure's exact placement.

Dean suggested that after the structure was "staked out," it should be checked but Ward said the bulldozer operator is likely to be off as much as three feet. Besides that, he digs the stakes out at the same time

and the footing crew then works according to dimensions laid out by the bulldozer operator.

Dean: replied that after the footers are poured, but before the construction began, the builder or developer should have a licensed surveyor certify that the structure does not exceed the setback lines. That means, said Dean, that we don't have to check it but it is on record with the surveyor's license at stake.

Dargitz agreed but was unsure that a licensed surveyor was actually required. Dean countered that only a surveyor would know precisely where the property line was.

Suggesting this issue could be considered as the Township Government worked through the ordinance amendment process, Dargitz stated that it was the builder's responsibility to build a structure according to the plan. Dean added that the ordinance could be even more binding and state that the construction comply with the Building Permit.

Dean then moved to approve the Final Plan for the Re-Subdivision of Lots 88 and 89 of Spring Creek Estates, Page 3, dated September 20, 1983. Stewart seconded and the motion carried.

BUSINESS

1. Resolution to Re-name the Old Portion of Gerald Street

Summarizing the history of that particular section of Gerald Street, Dargitz said it was at one time closed but not abandoned. Still a Township road, it goes from East College Avenue to (new) Gerald Street, one way, and provides access to Zimm's Restaurant.

When asked for name suggestions, Dean moved that the road be named "Short Street". The motion passed after Stewart's second.

2. Police Contract

With action needed before the October 15, 1983 deadline, Dargitz began the discussion by saying that only two issues needed to be settled and the one - the 10 percent overhead fee - was declared by the Borough to be non-negotiable. The real issue was which option of police-patrol coverage should be selected. The 24-hour-patrol coverage that the Township receives now will cost, including the 10 percent overhead fee, \$197,000 in 1984. The 21-hour-per-day-patrol coverage would cost \$185,000 next year for a difference of \$12,000 a year. Dargitz stressed that these figures were based on a preliminary, preliminary budget; the budget which hasn't gone to the Borough Council yet. If the Borough Council cuts it by five percent, said Dargitz, then the yearly cost to us will be cut by five percent also.

Stewart suggested they try the reduced-patrol-coverage plan as long as on-call police services would be provided during the unpatrolled three hours, which Police Chief Williams indicated would vary randomly.

Stating he was in favor of that plan also, Dean said he was sure the services could be increased to 24-hour-patrol coverage if necessary. Dargitz agreed saying Council could look at next year as an experiment. He was sure the Borough Police would be willing to add but not cut service.

More discussion developed concerning how the 10 percent overhead figure (which amounted to about \$16,000) was computed.

Then Stewart moved that Council accept the Police contract for 21-hours-per-day, police-patrol coverage including the 10 percent overhead fee, as described in the police proposal. Dean seconded and the motion was approved.

3. Trick or Treat Night

Lechner stated that COG had recommended Monday, October 31, 1983, from 6 to 8 pm as Trick or Treat Night. Council voted to establish that date also as Trick or Treat Night in College Township. Dean moved; Stewart seconded.

4. Rescheduling the November 24, 1983 Afternoon Council Meeting (Thanksgiving Conflict)

Lechner announced that he would like to coordinate this meeting with the tentative-budget meeting scheduled for Tuesday, November 22. Dargitz stressed that Council's policy was to meet in the evening if a subject of interest to Township residents was to be discussed. All agreed that the Thursday, November 24, afternoon Council meeting be rescheduled to Tuesday, November 22 at 7:30 pm. Dargitz added that the change to 7:30 needed to be made on the budget calendar.

5. Signatures on Certification of Township Roads

Nixon Drive and Mulberry Lane, said Lechner, are two streets that have been maintained by the Township for over 21 years and thus qualify to be listed on the State System for Liquid Fuels Funding. Lechner added that the State will be quite willing to add the roads if the request has Council's signature and seal of approval. Although not on the Agenda, Lechner stated that a resolution was ready to finalize the take-over of two roads in the same situation: Wayne Street and First Avenue. Lechner said they were paved and in good condition; then added that Liberty Street and Grant Street also qualified for Liquid Fuels Funding. With all the paper work done, said Lechner, we just need signatures.

Dean then moved that Council request PennDOT to place the following streets on the State System for Liquid Fuels Tax Funding: Nixon Drive

and Mulberry Lane. And that Council also accept as Township streets the following which have met the Township specifications: First Avenue through Nuttany Terrace Subdivision and Wayne Street in North Lenont. Stewart seconded, and the motion carried.

Additional - Christmas Tree Regulations

Dean reported that an Ad-hoc Sub-Committee of the Code Enforcement Committee was formed to devise rules and regulations related to the use of natural Christmas trees as decorations in public places of assembly. Dean read the committee's final report which briefly stated that a physical barrier must isolate the tree from human contact, that only fresh cut trees could be erected with the fresh cut section retained for the fire official's inspection, that the base of the tree be kept continuously in water, and that the area of the tree must not exceed over five percent of the floor area.

Since the last OOG General Forum Meeting was cancelled, said Dean, they won't meet again in time for these recommendations to reach businesses in the area. Therefore, Dean strongly suggested that each municipality should take direct action in adopting this policy so the Code Enforcement Staff could enforce it.

Dean then moved and Stewart seconded that Council adopt the regulations concerning natural Christmas trees in public places of assembly as proposed by the Fire Study Committee dated July 19, 1983. The motion passed.

COMMITTEE REPORTS

Stewart stated that the proposed Regional Police Study Report was completed and in the process of being distributed to the Townships in the Centre Region. The predominant question now, he said, was where do we go from here. He urged Council members and staff to read the report before

the next COG meeting in order to be prepared to take action on the issue.

Dargitz added that contrary to the expected results of the study, there was very strong sentiment expressing ideas to make the police services more effective, but still to retain the individual police forces. Dargitz said his personal feeling is that if we are looking for an area of working together, these ideas are what we should be looking at instead of a single police force. Dargitz clarified the report saying it contained a great deal of information, but it didn't favor one view point or another.

Reporting on the Finance Committee, Dean stated that the budgeting process was on schedule and should be available for the General Forum next month.

Dean also reported that ^{CODE} ~~COG~~ Administrative ^{CM} Committee met this month with the main topic being the Christmas tree regulation. They also contended with personnel issues.

The Personnel Committee, said Dargitz, had met and as he substituted for Taricani, they discussed evaluations and salaries for agency heads in COG.

Lechner reported that the Yardal Road Project was approximately 95 percent complete; remedial landscaping was still needed in the area. At the present time, the crews had to leave the Road project for riff-raff, snow fence installation, etc.

ANNOUNCEMENTS

Lechner announced the COG meeting was rescheduled for October 24.

Dean informed Council he would be out-of-town during the October 27, afternoon meeting.

Dargitz said he would be unable to attend the first budget meeting on November 2.

ADJOURNMENT

At 8:37 Dargitz proclaimed the meeting adjourned, which met with unanimous consent.

Respectfully submitted,

C. Thomas Lechner
Secretary

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MANAGER'S UPDATE

OCTOBER 13, 1983 MEETING

1. Council requested more information and clarification on the PUC directive to remove crossbucks and warning signs. Send copies of the PUC order and letter to both Doyle Corman and Ruth Rudy telling them that Council believes the directive to be unreasonable and asking them to look into the situation. (Keep Council informed of events.)

I talked with William Knerr, Civil Engineer of the P.U.C.,
on October 20, 1983. Mr. Knerr is familiar with the directive and explained
that the directive applies only to the Bellefonte secondary track which runs
from Colurn to Crossing on Boalsburg Road in College Township which is a
State Road. Therefore, there are no crossings that are affected in
College Township. Since this directive does not directly involve our
Township with removing the crossing, I elected not to contact Sen. Doyle
Corman and Rep. Ruth Rudy.