COLLEGE TOWNSHIP COUNCIL

MEETING
AUGUST 9, 1984
7:00 P.M.

A G E N D A

PUBLIC HEARINGS:	1.	Bellefonte Area Industrial Development Authority re: Request from Rishel Sales & Service
	2.	Bellefonte Area Industrial Development Authority re: Request from D. L. Automotive
REGULAR MEETING		
CALL TO ORDER		
OPEN DISCUSSION		
APPROVAL OF MINUTES		Meeting of July 12, 1984 Meeting of July 26, 1984
UPDATE INFORMATION		
FINANCIAL REPORT		
CORRESPONDENCE	1.	Reed McCormick re Subdivision Performance Bonds and Financial Security for Improvements to Subdivisions
	2.	Carolyn J. Freark re Domiciliary Care
	3.	Nancy Shipman, Centre County Council for Human Services re Domiciliary Care
	4.	Lynn Horning of Area Agency on Aging re Domiciliary Care
	5.	Letter on Police Services
PLANNING COMMISSION RECOMMENDATIONS		(See pink slips from P.C.)
PLANS FOR APPROVAL		NONE
OLD BUSINESS	1.	Lemont Parking (Pink Slip)
	2.	Improvements on Benner Pike
	3.	Discussion of Schlow Library Loan Agreement
NEW BUSINESS	1.	Township Building Parking Lot Agreement
	2.	Naming of Hospital Access Road
COMMITTEE REPORTS		
ANNOUNCEMENTS		
ADJOURNMENT		

* MANAGER'S UPDATE *

MEETING HELD JULY 12, 1984

1. Refer Alex Woskob's Preliminary-Final Plan for a two-lot subdivison 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

C-1

DUNAWAY, WEYANDT, McCORMICK & JONES
ATTORNEYS AT LAW
919 UNIVERSITY DRIVE
STATE COLLEGE, PA. 16801

WAYLAND F. DUNAWAY
FRED McCORMICK
CHARLES J. WEYANDT
ALFRED JONES, JR.
ANTHONY J. GERACE, JR.

AREA CODE 814
237-6272

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.

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

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

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

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

COLLEGE TOWNSHIP FINANCIAL REPORT

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

ACC'T.	CLASSIFICATION	1983 BUDGET 1983	1983 ACTUAL Y-T-D	1984 BUDGET 1984	1984 ACTUAL MONTH	1984 ACTUAL Y-T-D	1984 BUDGET REMAIN. for '84	1984 PROJECT. REMAIN. for '84	1984 ACTUAL + to '84 BUDGET
	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)
	Local Enabling	312,000	194,190	324,500	34,931	226,031	98,469	120,000	21,531
320	Licenses & Permits	190	2,823	5,500	1,844	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	5,979	20,008	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 APPROPROATION	$ 31,485	$ 122,856	$ 58,810	$ N/A	$ 203,750	$ 58.817	$ 104,425	$ 45,608

COLLEGE TOWNSHIP COUNCIL

PUBLIC HEARING AND REGULAR MEETING

AUGUST 9, 1984

7:00 PM

The College Township Council convened at 7:00 pm on Thursday, August 9, 1984, in the College Township Municipal Building for a Public Hearing and its regular meeting.

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
Robert L Hayden - Treasurer

PUBLIC HEARINGS

1. Bellefonte Area IDA re: Request from Rishel Sales & Service

Following the swearing-in of testifiers for both scheduled Hearings, Taricani noted that approval of the Bellefonte Area IDA has already been secured; College Township's approval is necessary as well. Applicant Rishel stated that he intends to vacate his East College Avenue location, convert his Spring Mills location for use as a warehouse, and use the proposed site, Lots 4 & 5 of Dale Summit Commercial Park, for office operations and the retail sale of farm machinery and lawn and garden equipment. He expects to roughly double his employment roll from 10 to 22 by the end of a two-year period.

Stewart moved that College Township accept the testimony of Rishel Sales and Service and offer no objection to the request. Following Hartswick's second, the motion carried.

2. Bellefonte Area IDA re: Request from D L Automotive

The Applicant, Richard Lassman, explained that he plans to expand an existing building near Sir Skate, adding 4 to 5 employees within a year.

Hartswick seconded Stewart's motion to accept the testimony of D L Automotive and offer no objection to the request. The motion carried.

The Public Hearings were closed at 7:17 pm on Hartswick's motion and Stewart's second.

REGULAR MEETING

Approval of Minutes

The Minutes of the July 12, 1984 meeting and the July 26, 1984 meeting were unanimously approved as distributed on Smith's motion and Stewart's second.

Manager's Update

Lechner reported that the Township Solicitor has responded to a request for an opinion on the Alex Woskob Subdivision request. The Planning Commission had recommended denial of the plan on the ground that it does not meet the Subdivision requirement to limit the number of accesses onto a private road to three.

Saying that she had not had time to fully study the issue, Taricani asked for more time to pursue the questions raised by the request. She questioned whether the Solicitor had all the facts at his disposal when he wrote the letter, e.g.: Was the Solicitor aware of the substantial contributions the Applicant had made to the paving of Clyde Avenue? Asserting that the Planning Commission was justified in recommending denial, she said that since only Council has the power to waive Subdivision requirements, the question is whether and under what circumstances a Waiver should be granted in this case. She suggested that Woskob, Lechner, and McCormick meet to discuss the issue.

Lechner further reported that a letter had been sent to Mr. Quigley reaffirming Township policy regarding Waivers of Water and Sewer Permits during building construction.

Financial Report

On Smith's motion and Stewart's second, Council received the financial report as distributed.

Taricani suggested a joint meeting with the Financial Advisory Committee. Agreeing, Lechner said such a meeting would be particularly timely since the Committee is in the process of putting together its final report, and budget reviews will occur soon.

Correspondence

The Chairman noted the following correspondence had been received:

1. Copy, Letter dated July 19, 1984 from Reed McCormick, Township Solicitor, to K. Ronald Weis, Planning Commission Chairman, regarding the proposed Woskob Subdivision on Clyde Avenue.

2. Letter dated July 26, 1984 from Carolyn J. Freark to Dolores Taricani, Council Chairman, regarding Domiciliary Care.

3. Letter dated August 3, 1984 from Nancy Shipman of the Centre County Council for Human Services, to Council and the Planning Commission, regarding Domiciliary Care.

4. Letter dated July 31, 1984 from Lyn Horning of the Area Agency on Aging to Council and the Planning Commission, regarding Domiciliary Care.

5. Copy, Letter dated August 1, 1984 from Elwood G. Williams, Jr., Chief of Police, to the Township Manager, regarding a change in patrol coverage for College Township.

6. Letter dated June 11, 1984 from Reed McCormick, Township Solicitor, to the Council Chairman concerning Subdivision Performance Bonds.

Taricani acknowledged Chief Williams for his forthrightness in adjusting coverage after the Police Department's mid-year review.

With regard to the Solicitor's June 11 letter, Lechner said that McCormick's concern is that the mortgage may be offered as surety. If the same mortgage is used for surety somewhere else, then the cumulative surety could exceed the value of the mortgage.

In another surety issue, Lechner described a current problem with a developer who has not completed promised improvements and whose bond expires August 19. The amount in question, $25,000 - 26,000, will be forfeited by the Township if it does not act before then, either by:

1. Presenting a sight draft to the bank holding the surety money, in which case the Township would use the money to complete the improvements.
2. Extending the surety expiration date. This would require the agreement of the developer, the bank, and Council, which will not be meeting again before the deadline, August 19.

When asked by Taricani if he knew of any reasons to extend surety, Lechner said he could not speculate on why the developer has not completed the work. Taricani reported that the Township Solicitor told her in a telephone conversation that he had met with the developer recently and advised him to get the job done. In the Solicitor's opinion, she said, there is nothing unusual or prohibitively difficult about making the improvements.

Lechner said that, as a matter of course, he intends to present a sight draft if improvements are not complete by August 19, unless he is instructed to do otherwise by Council. Pointing out that Council members are liable, individually and collectively to lawsuits brought by individual citizens if the improvements are not made, Taricani said Council could not do otherwise than support Lechner in this course of action. All Council members agreed.

OLD BUSINESS

1. Benner Pike Improvements

Dennis Elpern, of the Centre Regional Planning Commission, reported on the current PennDOT proposal to widen the Benner Pike between Porter Road and Houserville. Part of the Safety Improvement Program, separate from the 12 year plan, the proposal would provide four 12-foot lanes and a center turning lane. Elpern said he favors (though PennDOT does not) incorporating in the proposal an integral

bicycle lane on each side of the roadway. This would simply involve widening the road by two to three feet, without incorporating signs or a painted line to identify the bike lane. The advantages are increased safety and easy maintenance, since an integral bike lane collects far less debris than one separated physically, or even by a painted line.

In response to a question from Taricani, Alexis Penich-Walsh of the Metropolitan Planning Organization added that maintenance of a bike lane, under the Centre Regional Planning Commission's proposal, would be the responsibility of PennDOT since the bike lane would not be physically distinguishable from the roadway proper. Under further questioning from Council members, she said there has been no bicycle count for the road, but one is scheduled for this year.

The discussion concluded with a motion by Hartswick, seconded by Smith, to support the concept of the plan for improvement of the Benner Pike, including the proposal to widen the roadway two to three feet for bicycle use (bicycle lane to be unsigned, undemarcated) with the understanding that College Township will not be responsible for maintenance of the roadway. The motion was unanimously approved.

In an unrelated matter, Elpern said that the petition for road improvements on the Benner Pike reported in tonight's CDT would be forwarded to the Metropolitan Planning Organization, but with no guarantee that any action would be taken. When Taricani expressed surprise that a petition with such support did not come before Council as the governing body, Elpern volunteered that he felt uncomfortable handling it directly and said he would encourage the petition organizer to work through Council.

2. <u>Darlington Subdivison</u>

Robert W. Watkins, Centre Regional Planning Commission Senior Planner, reported that the proposal for improvements on Benner Pike outlined in a July 10, 1984 memorandum to Council had drawn no comment from Council members following his request for objections if there were any. He read the proposal again, asking Council to consider it and make a recommendation. He added that the Planning Commission did not formally act on this specific proposal because of lack of a quorum at the July meeting, but the Planning Commission is in general agreement. In part, the proposal would locate the Darlington entrance across from the existing Mall entrance, install a traffic signal at that intersection, and relocate Summit Road to line up with Shiloh Road, or as a short-term solution, the existing Summit Road could be changed to one-way "in only" for some distance with no left turns from Benner Pike. Watkins said PennDOT is insisting that something be done about Summit Road. Relocation would involve acquiring land from property owner Stephen Krentzman to bring the right-of-way up to standard, but Krentzman is opposed to the relocation. The Centre Regional Planning Staff has come up with a proposed plan with a sketch attached.

Stewart asked for clarification on the Township at one time approving a plan for an entrance to the Darlington Property when Lowe's Lumber was going to move in. Is PennDOT the only actual thing holding up their entrance now? He stated that at a meeting he had attended, the guy from PennDOT - referring to Vasco Ordonez - said that basically they, PennDOT, gave the Township what they wanted when they issued the permit; that if the Township approved it, PennDOT would give final approval. The second thing they said was that they, PennDOT, couldn't deny the Darlingtons an entrance.

Lechner stated that a plan had been approved by the Township and Council and PennDOT had conditionally approved it. He said Stewart was not repeating the entire statement that Ordonez had made; that they, PennDOT, had issued the permit on the condition ". . . with improvements".

Elpern added that for many years PennDOT had been working on improving that stretch of road; therefore, when the permit request came in there was concern that granting it could mess up the plans for improvement.

Regardless of the history, Smith said, the whole process could take a long time - what's the answer for the Darlingtons'?

Taricani responded that Council is not PennDOT. Council has always been sympathetic to the Darlingtons' need for access to their property, she said. Jesse and Bonnie Darlington, who were in the audience, confirmed that their problem has not been with College Township, but went on to say that they have never been sure where the problem really is, or how to get beyond the impasse.

Watkins suggested an interim solution - temporary access through the David Weis property. In response, Jesse Darlington asked for Council members to state for the record whether they would have any objection to this remedy if it were limited to a two-year period. Taricani replied that in concept, and if appropriate restrictions and time limits can be set, she has no objection, but she could not be conclusive without more information. Other Council members concurred.

Smith asked the Darlingtons if they had contacted Mr. Metzger about acquiring property from him in order to locate their entrance across from the existing Mall entrance. They said they hadn't, because Watkins had proposed in his July 10 memorandum that College Township should take the lead in acquiring the property. In any case, they said, they are in no position to purchase more land. Smith also had questions about the proposed location of Frontage Road on Watkins' sketch. Agreeing that it is not ideal, Watkins said that it is not part of the proposal, but would be considered with a Subdivision Plan. He acknowledged that a more suitable location for the road could probably be found.

The discussion concluded with Lechner's announcement that there will be a meeting August 10 of Tom Songer, Dave Sweetland, Lechner, the Darlingtons, and Ickes and Ordonez of PennDOT, to discuss temporary access for the Darlingtons. Saying he fears a "quick and dirty" solution, Elpern asked if the result of that meeting would be a recommendation and if it would come back to Council. Lechner said that is the usual procedure. Watkins reiterated his continuing concern that the serious overall traffic issues be addressed as well as the problem of finding an entrance for the Darlingtons.

No action was taken on the July 10 proposal from Watkins.

3. Township Parking Problems

Taricani reported on the recommendations of the Parking Committee, which is concentrating its efforts on safety problems, which appear to be paramount.

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4. Schlow Library Loan Agreement

A new agreement was necessitated by the need to rebid the project and includes five addenda to the original agreement, Lechner said. The fifth addendum, added at the insistence of Harris Township's Solicitor, provides that local Ordinances will be adopted to enact the agreement.

Taricani asked Lechner to check with the College Township Solicitor to see if an Ordinance is essential or if a resolution would suffice. Lechner thought it unnecessary to challenge another Solicitor's research. Council unanimously decided to establish the first meeting in September as the date for a Public Hearing to establish funding for Schlow Memorial Library, if the College Township Solicitor concurs, on a motion by Smith, seconded by Hartswick.

NEW BUSINESS

1. Township Building Parking Lot Agreement

Council voted on Hartswick's motion, seconded by Smith to approve the agreement with PennDOT on the Township Parking Lot.

The Township will owe $7,124 to PennDOT, which will pay the contractor.

2. Naming of Hospital Access Road

A motion to adopt Resolution #105, naming the Township road which replaces the abandoned Hospital Access Road, HOSPITAL DRIVE, was offered by Hartswick, seconded by Smith, and approved by all.

COMMITTEE REPORTS

Solid Waste Committee

Stewart told Council members that College Township may be asked to amend its rubbish Ordinance to clarify where rubbish should go after collection, following complaints that one hauler is taking Centre County rubbish to Huntingdon County, and not to the Transfer Station.

IDA Committee

Fred Smith reported on IDA approval for transmission refurbishing in State College, Accu-Weather expansion, and conditional approval for the Centre County Airport Authority's loan request.

Code Committee

Smith reported progress on the proposal to replace 100% inspection with sample inspection. Changes in the BOCA Code are being studied and local recommendations will be made after the last Public Hearing in early September, he said.

Hartswick moved to adjourn; Smith seconded and the meeting was concluded at 9:17 pm.

Respectfully submitted,

C Thomas Lechner
Secretary

CTL:mbw:key

College Township Cash Flow Report

@ July 31, 19 84

Based on 1983 monthly flow percentages

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
Cash - Beginning Balance	58810	29910	32610	18010	159210	167710	160210	149110	129710	127610	119010	116010	
Plus - Projected Revenues	60000	55800	22700	215300	57600	40000	87200	43200	58700	68600	46700	24800	758300
Less - Anticipated Expend	88900	53100	57300	72300	49100	47500	98300	62600	40800	77200	49700	81500	758300
Cash - Ending Balance	29910	32610	18010	159210	167710	160210	149110	129710	127610	119010	116010	55810	

	Current Month			Year-to-Date		
	Estimated	Actual	Actual Over (Under)	Estimated	Actual	Actual Over (Under)
Cash - Beginning Balance	160210	210425	50215	58810	58817	7
Plus - Projected Revenues	87200	78129	< 9071 >	586300	586920	50120
Less - Anticipated Expend	98300	84775	< 13525 >	446500	441987	< 4513 >
Cash - Ending Balance	149110	203779	54669	149110	203750	54640