

COLLEGE TOWNSHIP COUNCIL

MINUTES OF MEETING HELD

JUNE 14, 1979

The regular meeting of the College Township Council was called to order by Chairman J. Carroll Dean at 7:30 p.m. in the College Township Municipal Building.

Members present: Donald E. Bailey, J. Carroll Dean, Dolores A. Taricani, Clarence E. Trotter, and John H. Ziegler

Others present: Manager Elwood G. Williams, Sr.

MINUTES

Minutes of March 5, 1979. Mr. Ziegler moved that the minutes of the Public Hearing of March 5, 1979, on Rezoning Requests for properties along East College Avenue be approved as submitted. Mrs. Taricani seconded the motion and it was carried unanimously.

Minutes of May 10, 1979 - corrections as follows:

Page 4, Item (1) under "Business", line 8 - change "in" to "to".

Page 6, Paragraph <sup>3</sup>4, Line 2 - change "affluence" to "effluence"

Line 10 - change "affluence" to "effluence"

Page 8, Item 7, Paragraph 1, Line 11 - change sentence which begins "Additionally, Chairman Dean asked..." to read "Additionally, Chairman Dean asked Mr. Williams to have the unsigned Signature Blocks removed from the drawing prior to forwarding copies to the Postal Service."

Mr. Trotter moved the minutes of the May 10, 1979, meeting be approved as corrected; Mr. Ziegler seconded the motion and it was carried unanimously.

Minutes of May 31, 1979 - corrections as follows:

Page 2, Line 7 - change "connection fee" to "assessment".

Line 23 - strike "should Council agree".

Mr. Bailey moved the minutes of the May 31, 1979 meeting be approved as corrected; Mrs. Taricani seconded the motion and it was carried unanimously.

UPDATE

1. At a previous meeting, Council had discussed a letter from Paul K. Mueller expressing his concern about the truck traffic on Branch Road. Mr. Williams reported that he had written Mr. Mueller and explained to him that Branch Road is not a Township road but rather a State road and that the Township cannot limit traffic on it. Mr. Williams also informed Mr. Mueller of the position the State took several years ago when trucks used Branch Road during the time Route 144 between Potters Mills and Centre Hall was closed. At that time, the State informed the residents of Lemont that they could not limit truck traffic on Branch Road.

2. Mr. Williams reported that he and Stan Hoy had not checked into additional right-of-way necessary to make the roads in the Mary C. Knepp Estate Subdivision conform to the Township requirements.

3. In response to a recent letter from Mr. Thomas Lalley concerning the situation in which his septic system was draining onto adjoining property, Mr. Williams wrote Mr. Lalley explaining

the subdivision was legal in terms of the information available to the Council from the engineer of the subdivider and any recourse he chose to take should be from the seller of the land. Mr. Williams also told him that Council understood he had solved the immediate problem relative to the citation from D.E.R. and that Council could not, therefore, comment on that.

4. Mr. Williams wrote John Grinder saying Council accepted his resignation and conveying the Council's thanks for his services to the Township.

5. Relative to the Nittany Orchard Development, Mr. McCormick, Mr. Blasko (Nittany Orchard Development's Attorney), and Mr. Williams met and came up with a new Memorandum of Understanding between the Township and Nittany Orchard.

6. In considering the ConRail subdivision at the last regular meeting, Council had a question on part of the engineering drawing for the ConRail land and asked Mr. Williams to check with Stan Hoy on it. Mr. Williams reported the dark area on the drawing indicated the cartway of Mt. Nittany Road and Mary Street. The Township right-of-way extends to the ConRail property.

7. The Planning Commission had been asked to look into what should be considered as the "Town of Lemont". After discussion, the Planning Commission asked Dennis Elpern to reproduce for Council a copy of the Lemont Historical District Map and on the map the Zoning District be overlaid, and the combined map be given to Council for sending to the United States Postal Service.

TREASURER'S REPORT

In the absence of the Treasurer, Mr. Williams reviewed for Council the information included in the Treasurer's Report for May.

Mr. Williams indicated the expenditures and receipts are up to date as of the end of May and the budget is running on schedule.

Mr. Trotter moved the Council accept the Treasurer's Report. Mr. Bailey seconded the motion. It was carried unanimously.

CORRESPONDENCE

1. June 4, 1979, letter from Thomas J. Lalley in response to Council's correspondence relative to questions Mr. Lalley raised in an earlier letter concerning a situation of drainage from his septic system going onto an adjoining lot. Council felt Mr. Lalley was misunderstanding the information that had been given to him and asked Mr. Williams to invite Mr. Lalley to Council's next regular meeting for an informal discussion of his problem. Chairman Dean also requested Mr. Williams to check with Reed McCormick to determine if Council can legally withdraw approval of a subdivision once it has been recorded.

David Allison was present and gave Council updated information on the notice of violation D.E.R. had served on Mr. Lalley. Mr. Allison indicated he was going to write D.E.R. for written status on the citation and Council asked that they be provided a copy of that letter and any response.

2. May 14, 1979, letter from Robert and Jean Chilcoat relative to problems that have occurred since the opening of the roller skating rink which is located next to their property. After discussion on the various problems indicated, Council asked Mr. Williams to contact the Chilcoats to inform them that Council was pursuing the matter and

to contact the owners of the roller skating rink informing them of the problems and providing them an opportunity to find solutions to the problems. Also, Council asked Mr. Williams to have the Township Zoning Officer check the Chilcoat's pool enclosure to confirm that it does conform to Township Ordinance.

PLANS FOR APPROVAL

1. Preliminary and Final Plan, Subdivision of One Lot into Two for Robert J. Thomas, Jr. Mr. Alan Stewart, of Triangle Engineering, presented the plan for approval. Mr. Stewart explained that he brought a new set of plans because of a correction in the setback line to 45 feet from center line. Chairman Dean pointed out that the revision was not listed on the drawing; Mr. Stewart made the notation.

Mrs. Taricani moved Council approve Preliminary and Final Plan, Subdivision of One Lot into Two for Robert J. Thomas, Jr., drawing dated 4/27/79, revised 6/13/79. Mr. Trotter seconded the motion and it was carried unanimously.

2. Preliminary Plan, Subdivision of Bernard E. Goehring, Brush Valley Road. Mr. Alan Stewart, of Triangle Engineering, presented the plan for approval. Mr. Stewart explained the reason for the Preliminary Plan was that the owner wanted to be assured that he could get the property subdivided before incurring the expense of a Final Plan. Additionally, there was some question on the exact dimensions of some of the lots. Mr. Stewart explained the reason the scale was 1" to 100' was because of the size and shape of the parcel that scale was necessary to fit the drawing on the appropriate sheet size.

Mr. Bailey moved Council approve the Preliminary Plan for Sub-division of land of Bernard E. Goehring, R. D. 1, Boalsburg, PA, drawing dated 5/4/79. Mr. Trotter seconded the motion and it was carried unanimously.

BUSINESS

1. Mr. Ziegler moved that the regular meeting of the College Township Council be interrupted so that the Council could hold a public hearing on three rezoning requests. Mrs. Taricani seconded the motion and it was carried unanimously.

Chairman Dean stated that this portion of the meeting was a public hearing called for the purpose of considering several requests for rezoning. All proper legal notices and announcements had been made. All witnesses would be sworn in and no testimony would be received that was not sworn testimony. None of the applicants objected to the proceedings being recorded.

a. Robert J. Reese, approximately 19 acres of land in the Dale Summit area southeast of Carolean Industrial Drive, from F (Forest) to I-1 (General Industrial). Chairman Dean pointed out that supplementary information had been received from the Regional Planning Commission recommending that the rezoning only incorporate that part of the request back to the foot of the steep grade (approximately 500 feet deep) and not the entire parcel. Discussion followed on how much land precisely was involved, the slope involved, and the comments of the Regional Planning Commission and the Township Planning Commission.

Mr. Trotter felt that the entire parcel should be rezoned and moved that Council approve the request to rezone approximately 19 acres of land owned by Robert J. Reese in the Dale Summit area from

FOREST to GENERAL INDUSTRIAL. Mr. Bailey seconded the motion. Even though Council felt that a good zoning principle was to rezone to property boundaries, individual Council members expressed their concern about the excavating that would be done to the steep grade on the above-mentioned parcel. The motion was defeated -- Mr. Trotter and Mr. Bailey voting for; Mrs. Taricani, Chairman Dean, and Mr. Ziegler voting against.

Chairman Dean asked for a counter motion. Mr. Ziegler moved the Robert J. Reese property to the depth of 500 feet from the north boundary as recommended by the Centre Regional Planning Commission, Memorandum of February 14, 1979, be rezoned from FOREST to GENERAL INDUSTRIAL. Mrs. Taricani seconded the motion and it was carried with Mrs. Taricani, Chairman Dean, and Mr. Ziegler voting for; and Mr. Trotter and Mr. Bailey voting against.

Chairman Dean indicated that Council needed to "even up" the zoning line of the properties located along the face of the mountain and asked Mr. Williams to make a note of it and include it in the next public hearing that was scheduled.

b. Mt. Nittany Park, Inc., approximately 1.8 acres of land in the Everhart Village area from A-1 (Agricultural) to R-2 (Two-Family Residential). Tom Gill, Attorney for Mt. Nittany Park, Inc. was present and introduced two other members of the Corporation -- Norman Fisher and Leroy Desmond.

Mr. Trotter moved that the request of Mt. Nittany Park, Inc., to rezone approximately 1.8 acres of land in the Everhart Village area from A-1 to R-2 be approved. Mrs. Taricani seconded the motion and it was carried unanimously.

Chairman Dean asked Mr. Williams to write Mt. Nittany Park, Inc. giving them the approval in writing and send a copy of the letter to Carl Fairbanks so that the Borough of State College would be aware of the action Council had taken on this request.

Norman Fisher expressed the Corporation's thanks for the Council's cooperation in this matter.

c. Highland Development Building Venture, approximately 6.6 acres in the Everhart Village area near the Kenfield Townhouse and the LDS Church on Whitehall Road from A-1 (Agricultural) to R-2 (Two-Family Residential).

Chairman Dean pointed out that this parcel of land was adjacent to the parcel just rezoned and would match up with like zoning in Ferguson Township.

Mrs. Taricani moved that Council approve the request to rezone the land approximately 6.6 acres owned by Highland Development Joint Venture in the Everhart Village area and next to the Mt. Nittany Park, Inc. property from A-1 (Agricultural) to R-2 (Two-Family Residential). Mr. Bailey seconded the motion and it was carried unanimously.

Mr. Bailey moved that the Public Hearing be adjourned; Mr. Ziegler seconded the motion. It was carried unanimously.

2. Contract on Water Study. Chairman Dean again reviewed for Council the three bids received on the Water Study: P. Joseph Lehman, \$12,000; Betz-Converse-Murdoch, \$23,971; and Nassaux-Hemsley, Inc., \$33,072. Chairman Dean had reviewed the proposals with consultants, both professional engineers, and also with the Township Engineer. They felt that even though the Lehman bid was the lowest, it was not responsive to the Township's specifications. Chairman Dean enumerated

for Council members the reasons this decision was arrived at -- language too soft, not specific enough, and relying too heavily on available

Chairman Dean indicated that the consultants had recommended Council award the contract to Betz. Chairman Dean explained that there had been some question on the cost of Phase II and Betz was asked to give more detail on the scope of the work they planned for Phase II. Chairman Dean explained that even though Betz agreed to lower the cost of Phase II by \$4,000 if the Township "drew back" in their specifications for Phase II, the consulting panel felt that the additional work that would be performed would be of value to the Township in the future. There was discussion on the funding of the study. Mr. Trotter asked if approval of Phase I also gave approval for Phase II. Chairman Dean explained that in the specification of the request for bids it was set forth that within 120 days of completion of Phase I the Township would decide whether or not to continue with Phase II which the contractor would undertake at the bid price.

Mr. Ziegler moved the College Township Council accept the Engineering Proposal dated May 2, 1979 for the Planning Study of the Water Systems of College Township as submitted by Betz-Converse-Murdoch. Mr. Trotter seconded the motion and it was carried unanimously.

Chairman Dean asked Mr. Williams to write Betz informing them of the award and send a copy of the letter to the Water Companies involved so they would know who would be doing the work. Additionally, Mr. Williams was requested to write Lehman indicating that even though their bid was the lowest, it was not responsive to the Township's request.

3. Contract on Recording and PA System. Chairman Dean indicated that Council had awarded the contract for the sound system to Daveland at their meeting on June 11 but that nothing had been entered in the record explaining why the low bid (Gray Sound and Communications) had been rejected. The purpose of considering this matter again was to indicate that the Gray proposal was not responsive in that they proposed a mike switching system and switches on microphones rather than priority circuits as the request for bids had specified.

4. Sanitary Sewer Service to Hawthorn Drive, Green Acres Lane, and Spring Hill Road. Chairman Dean indicated that Council had received a petition from the residents in these areas requesting that their area not be included in the sanitary sewer system.

Mr. Bailey felt that Council should take the petition into consideration when making a decision and also felt that a decision should be delayed for one year to see what was going to happen with the bypass.

Mr. Bailey moved that Council table further action on this matter for one year. Mr. Trotter seconded the motion.

Mr. Trotter expressed his concern over the one-year limitation in the event one of the septic systems in this area malfunctioned. Chairman Dean suggested that "unless current conditions change" be added to the motion and Mr. Bailey and Mr. Trotter agreed.

Mrs. Taricani explained that she felt the sanitary sewer in these areas was not a "viable economic option" at this time but indicated that she felt construction at a future date would be more costly than was indicated to the residents of this area. Mr. Ziegler said that a <sup>member</sup> ~~manager~~ of the Authority had done a study on the costs of sewage and

from this study much higher costs were indicated for future sewer construction.

The question was called for and the motion was carried unanimously.

Dennis Roberts, one of the residents on Hawthorn Drive, asked what was meant by the tabling? Chairman Dean explained that it would be reviewed again in a year and it could mean a new engineering study or it could not, sewerage might be a good option then or it may not.

David Allison, Executive Secretary of the College-Harris Joint Authority, re-emphasized the position he had taken at the earlier meeting on this subject of the future necessity of having all areas of the Township sewerage.

Mr. Allison indicated that a preliminary study for sanitary sewer service to the old Houserville Road area had been completed and requested that Council schedule a discussion on it at a future meeting.

5. Memorandum of Understanding between College Township and Highland Associates, Inc. Mr. Williams indicated that at the regular meeting of Council on May 10 a Memorandum of Understanding between the Township and Highland Associates was considered which included the provision that when Highland Associates provided a letter of credit to guarantee construction of the access street, Council would issue building permits for this development. It has been Council's position that no building permit be issued for this development until completion of the access roads. Upon Council's request, Mr. Williams met with Reed McCormick, the Township's Solicitor, and John Blasko, Attorney for Highland Associates, and drew up the present Memorandum of Understanding which provides for issuance of permits when the base of Whitehill Street has been put in. One year after the first

occupancy permit is issued, the wearing course must be put on the road. Mr. Williams indicated that Mr. Blasko felt that Highland Associates would not be getting into any trouble if they put stones on the crossing and began driving over it.

Mrs. Taricani moved that the College Township Council adopt the Memorandum of Understanding between College Township Council and Highland Associates dated and signed June 14, 1979. Mr. Ziegler seconded the motion and it was carried unanimously.

Council made a pen and ink correction on Page 4, changing "May" to "June" and it was initialed by all members of Council.

6. Canadian Pacific Realty Company bond for land development in connection with the IDA Housing Project. Mr. Williams indicated that this item had been deleted from the agenda, that the Agreement had been passed onto Mr. Gill and he, as the Attorney for Mt. Nittany Residents, Inc., did not agree with all the requirements set forth in the document.

Mr. Gill explained that the agreement called for Canadian Pacific to be responsible up to \$80,000 for the cost for street and some other improvements with IDA being responsible for the remainder. This was not acceptable to IDA and the attorneys representing Canadian Pacific and IDA are currently trying to solve the matter.

7. Susan Dean resignation from the Centre Region Consciousness Group. Mrs. Taricani moved that Council accept Ms. Dean's resignation and that Council's thanks be conveyed for her service to the Township. Mr. Trotter seconded the motion and it was carried unanimously.

Chairman Dean asked Mr. Williams to prepare a list of replacements to be considered at Council's next meeting, asking the Concerned Citizens of Lemont and the Planning Commission for suggestions.

8. 1979-80 CATA Budget. Chairman Dean indicated since the Council reviewed this budget last the changes that had been made were the CATA Manager's salary had been increased and the Township's share has been reduced by approximately \$500. Council felt the Township received good service from CATA.

Mr. Trotter moved Council approve the CATA Budget for 1979-80, revised May 23, 1979. The motion was seconded by Mr. Bailey and was carried unanimously.

Discussion followed on the proper procedure to offer suggestions to CATA and the present/proposed bus routes.

Chairman Dean asked Mr. Williams to notify CATA of the Council's action.

9. Sue Smith, of the Parks & Recreation Committee, reported that in <sup>LIMEROCK PARK IN</sup> Dalevue Park 20 trees had been planted with the cooperation of the Township and the Lions Club and 20 more are to be planted. Work is being done at the Vo-Tech School on some playground equipment for the Dalevue Park.

Mrs. Smith also expressed concern about the abandoned house at the entrance of Slab Cabin Park and asked when it would be cleaned up. Mr. Williams indicated he would get in touch with J. Kenneth Walker to get the debris removed.

Mrs. Smith asked if part of Mt. Nittany Park could be mowed so that Parks & Recreation could get some of the rocks removed and start work on the trail that is proposed. Mr. Williams indicated that the

Township would be getting to that in the near future.

Additionally, Sue Smith inquired about the Weed Ordinance requirements, the change proposed for COG General Secretary which Chairman Dean indicated was being studied, not proposed -- about the well contamination problem and Ruetger's-Nease liability -- and expressed concern about the displacement of the residents of Dayview Acres.

10. One of the residents of Hawthorn Drive, Green Acres Lane, Spring Hill Road area gave Council the original of the petition indicating their opposition to sanitary sewer.

11. Review of Draft of Model Subdivision and Land Development Ordinance. Before beginning the review, Mr. Trotter indicated his concern with the requirement that all utility lines be underground. Dennis Elpern, Centre Regional Planning Commission, responded that this did not mean the main feeder lines but those lines within the subdivision. Mr. Elpern further stated that this was a PUC Requirement.

Council reviewed the draft ordinance considering the changes/corrections the Planning Commission had offered and incorporating any changes Council members had. Mr. Elpern offered clarification and explanation where necessary.

Because of the lateness of the hour, Council decided to complete the review of this ordinance at a work session on Thursday, June 28, at 7:30 p.m.

12. Regarding the contamination of wells in the Trout Road area, Chairman Dean reported that D.E.R. is involved in the matter and at a recent meeting with D.E.R., the Township E.A.C. and others concerned,

had requested that D.E.R. notify Council of any new test results or other information that the Township should be aware of. Additionally, Chairman Dean suggested that D.E.R. look at Cal Zimmerman's water source as one that could possibly be shared with a limited number; Chairman Dean asked Ron Evans, Chairman of E.A.C., to be sure that the Zimmerman well was on the list of the ones to be tested. Council members were impressed with the way in which the Township Environmental Advisory Council conducted the recent meeting involving D.E.R.

13. The map Council was using to determine the Village District to be used by the Postal Department in locating the post office in Lemont had two areas designated -- Historical District and Village District. After discussion on which district would be the more appropriate, Mr. Trotter moved that the Postal Department be notified that what is shown as the Village District Zoning represents the boundaries of the Village to be used in locating the post office. Mrs. Taricani seconded the motion and it was carried unanimously

Council requested Mr. Williams forward this information to the Postal Department with a copy to the Concerned Citizens of Lemont.

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Elwood G. Williams, Sr.  
Secretary

EGW:lf:bh

COLLEGE TOWNSHIP

TREASURER'S REPORT

INDEX

MAY, 1979

<u>DESCRIPTION</u>	<u>REFERENCE</u>
General Fund - Receipts & Expenditures	Schedule I
General Fund - Comparative Summary	Figure I
General Fund - Moving Average	Figure II
General Fund & Total Township - Cash Flow 1979	Figure III
General Fund & Total Township - Cash Flow 1978	Figure III-a
Township Funds - Cash & Investments	Schedule II

Schedule 1

COLLEGE TOWNSHIP

TREASURER'S REPORT

GENERAL FUND - RECEIPTS & EXPENDITURES

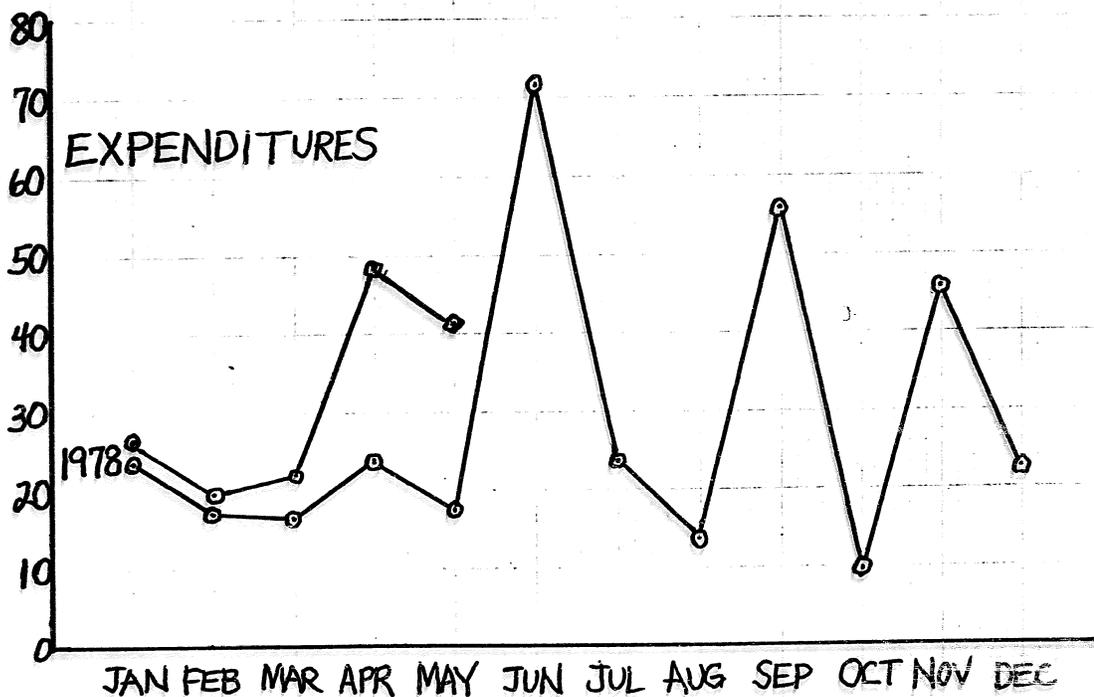
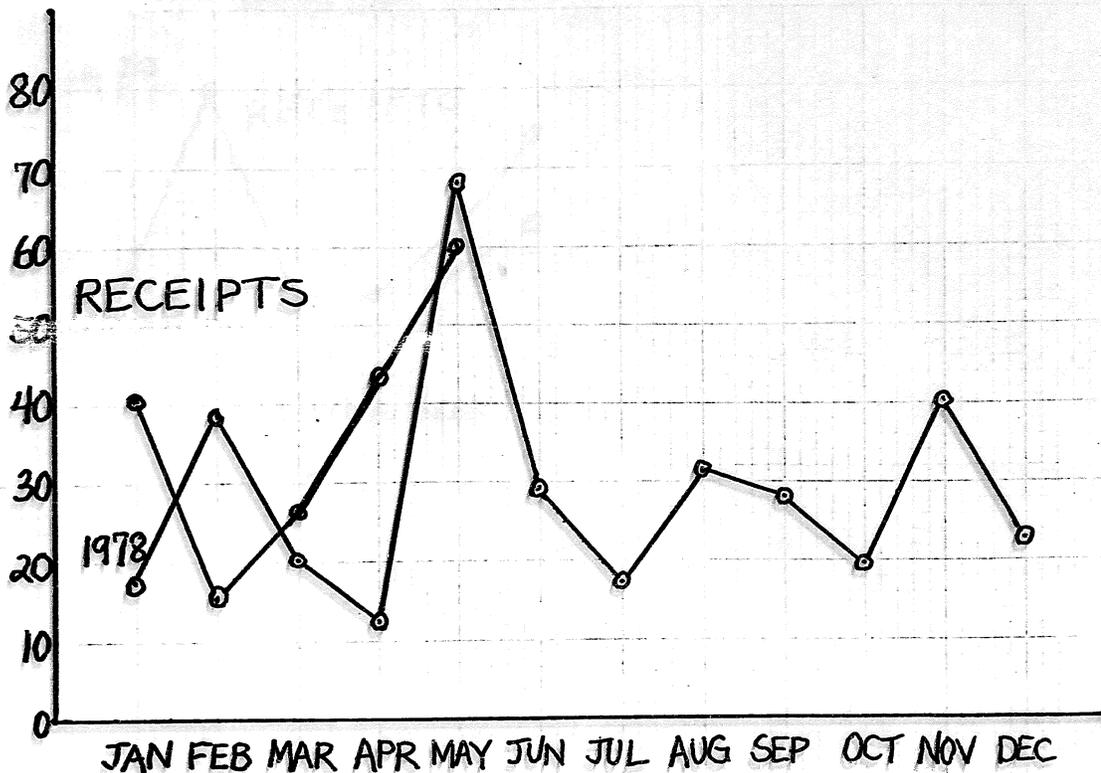
MAY, 1979

MAY, '79

APRIL, '79

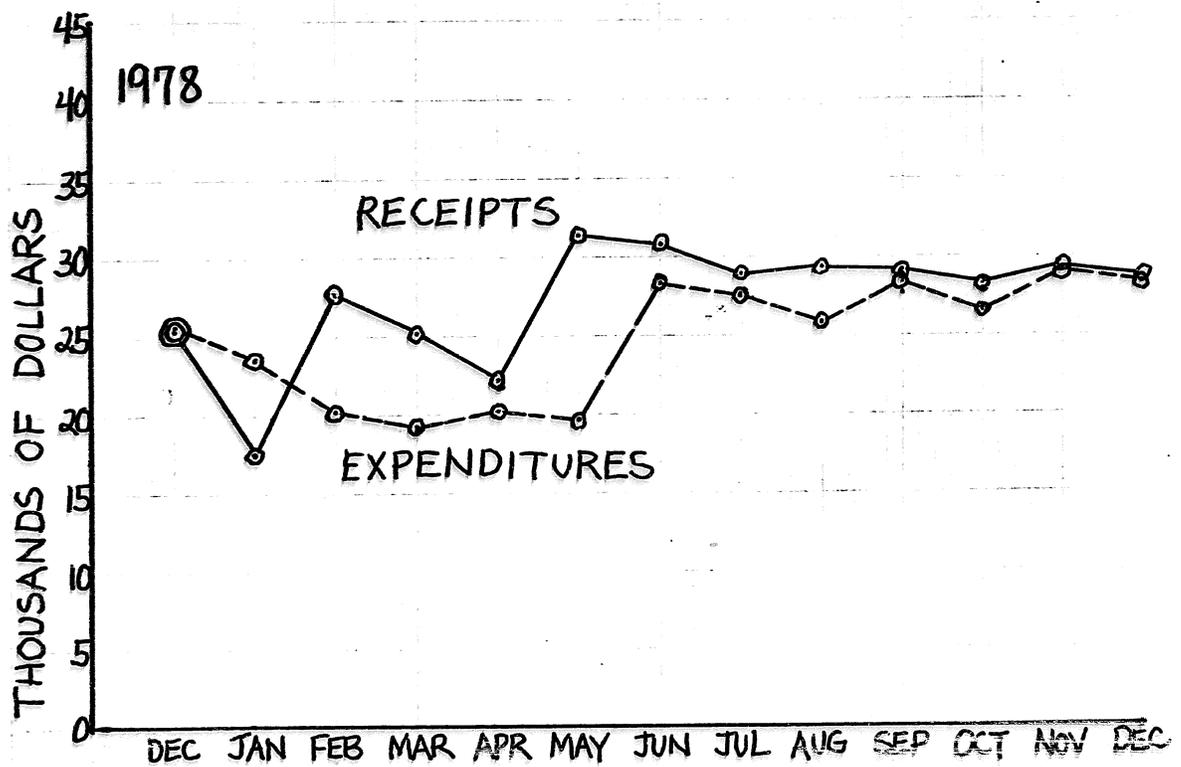
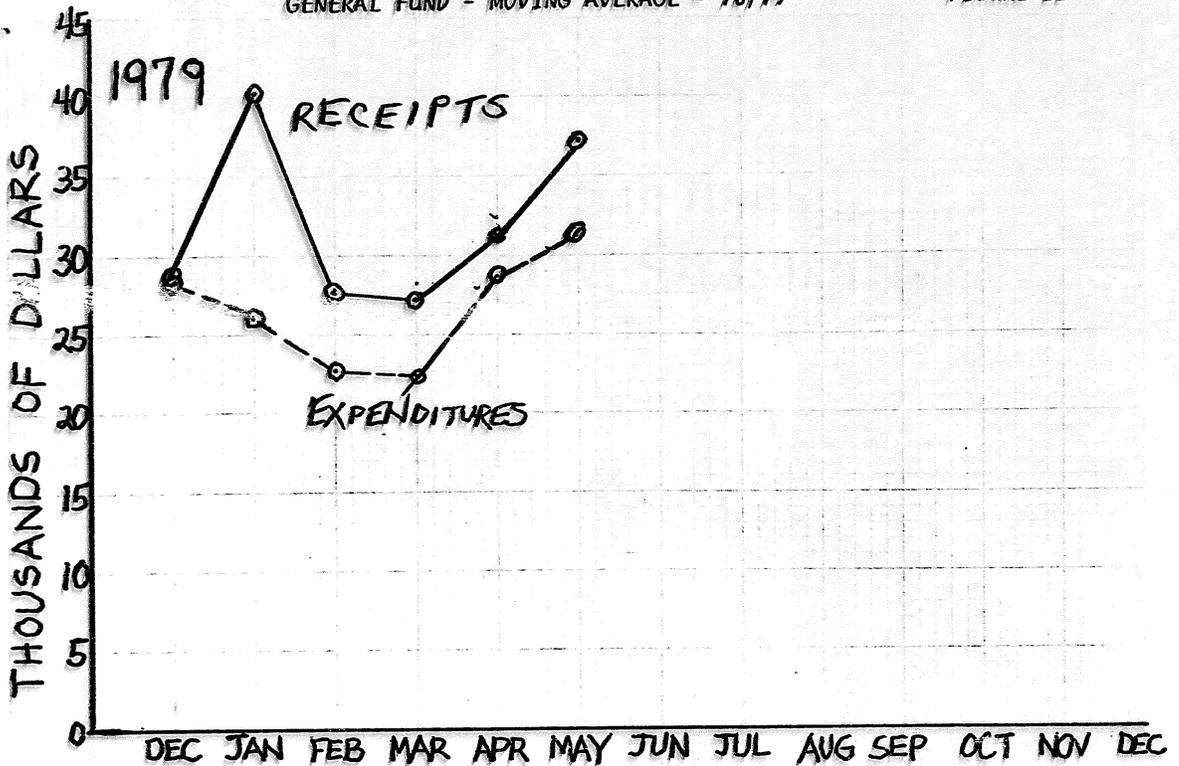
Check Book Balance - Beginning of the Month.....\$ 1,406

\$ 5,073



GENERAL FUND - MOVING AVERAGE - 78/79

FIGURE 11



GENERAL FUND & TOTAL TOWNSHIP FUNDS - CASH FLOW - 1979

FIGURE 111

RECEIPTS: SOLID LINES  
EXPENDITURES: DASHED LINES

46 0700  
600

TOTAL BUDGET

500

400

GENERAL FUND BUDGET ONLY

300

200

100

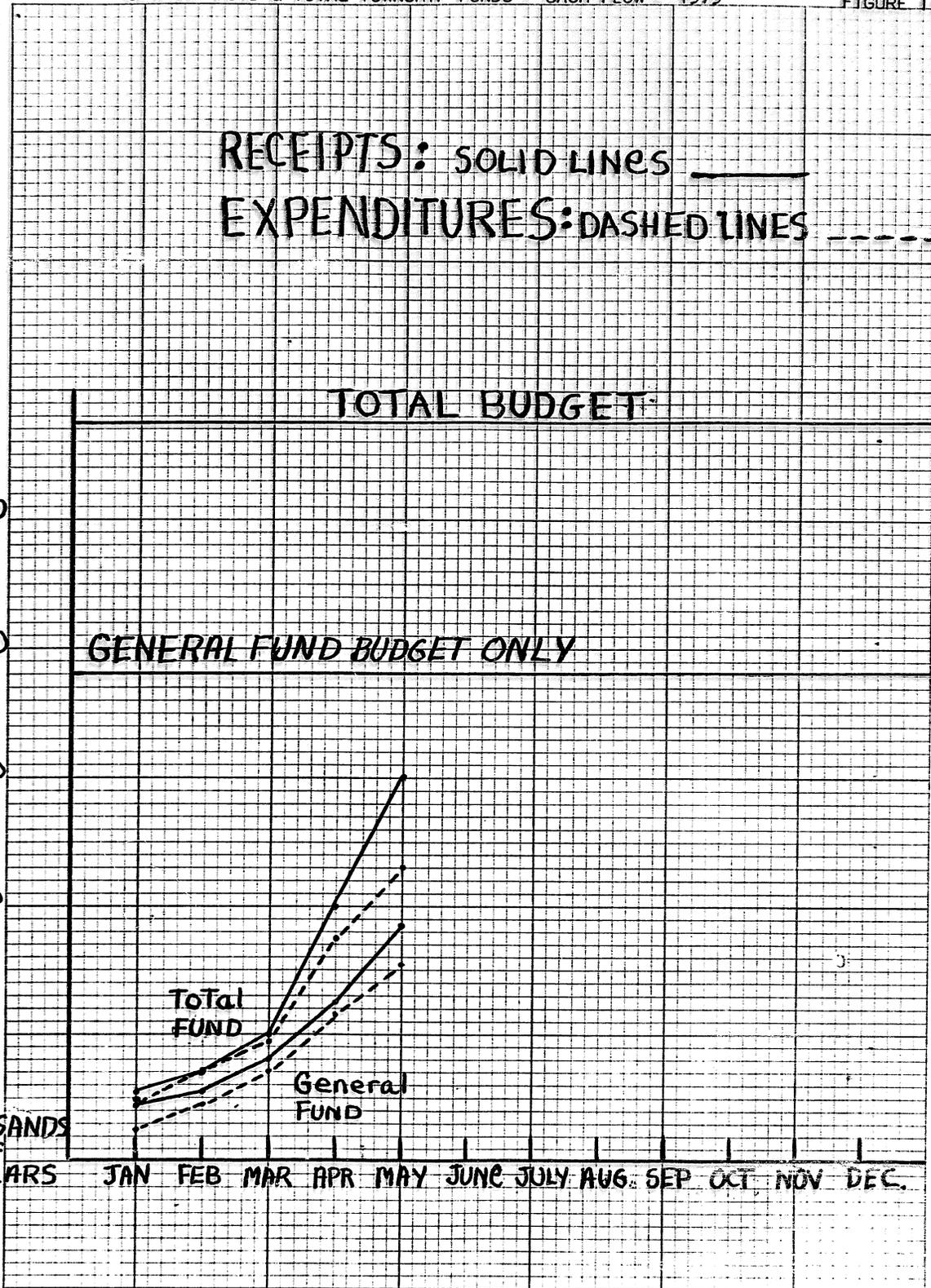
10 X 10 TO THE INCH • 7 X 10 INCHES  
KEUFEL & ESSER CO. MADE IN U.S.A.

↑  
THOUSANDS  
OF  
DOLLARS

JAN FEB MAR APR MAY JUNE JULY AUG SEP OCT NOV DEC

Total  
FUND

General  
FUND

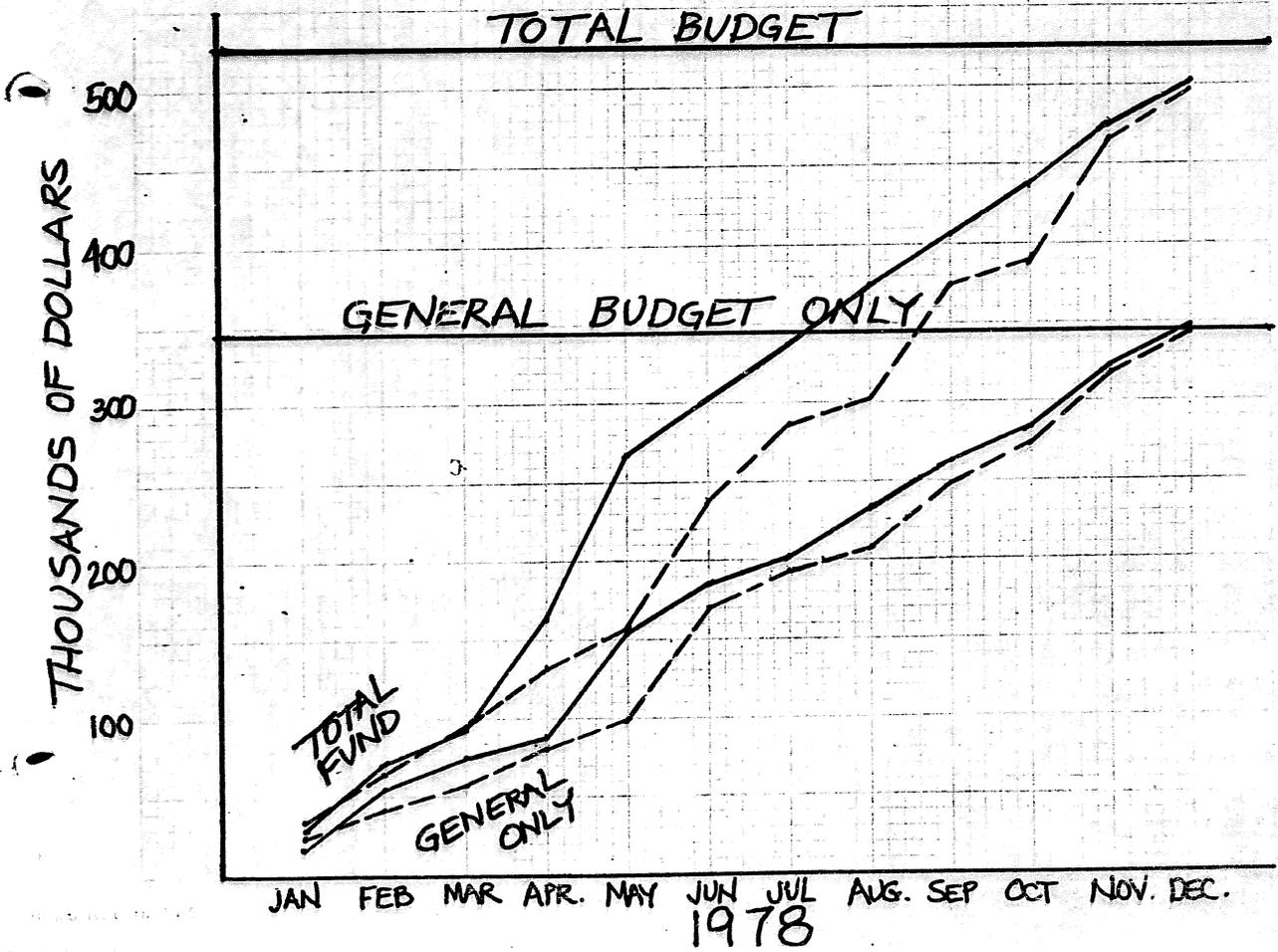


GENERAL FUND & TOTAL TOWNSHIP FUNDS - CASH FLOW - 1978

Figure III-a

RECEIPTS : SOLID LINE \_\_\_\_\_

EXPENDITURES : DASHED LINE \_\_\_\_\_



COLLEGE TOWNSHIP  
TREASURER'S REPORT  
CASH & INVESTMENTS

MAY, 1979

	GENERAL	STREET LIGHT	EQUIPMENT	PARKS & REC.	STATE	REVENUE SHARE	FEDERAL ANTI-RECESSION
I. CASH:							
Checking Account	\$ 2,382 <sup>d</sup>	\$ 152	\$ 10	\$ 60	\$ 533 <sup>d</sup>	\$ 197	\$ -0-
II. INVESTED:							
A. Daily Interest - 5% Annual	48,000	5,921	14,719	15,009	6,613	5,689	-0-
B. 90 Day Cert. - 5.5% Annual			10,000 <sup>b</sup>		10,000	10,000 <sup>a</sup>	
C. 6 Month Money Market					10,000 <sup>c</sup>	10,000 <sup>b</sup>	
TOTAL FUNDS @ MAY	\$ 50,382	\$ 6,073	\$ 24,729	\$ 15,069	\$ 27,146	\$ 25,886	\$ -0-
PREVIOUS MONTH	\$ 30,846	\$ 3,044	\$ 13,731	\$ 11	\$ 33,912	\$ 30,686	\$ -0-
CASH	\$ 3,334						
INVESTED	\$145,951						
TOTAL	\$149,285						
PREVIOUS MONTH	\$112,230						

NOTES:

- I. Maturity dates of certificates of deposit:
  - a) July 16, 1979 - interest rate 9.443%
  - b) July 24, 1979 - interest rate 9.534%
  - c) October 1, 1979 - interest rate 9.437%
- II. General and State Fund Checking:
  - d) Includes a portion of payroll account