

COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING  
THURSDAY, FEBRUARY 24, 1983

The second regular monthly meeting of the College Township Council was called to order at 4:04 pm by Chairman Dargitz at the College Township Municipal Building.

Members present: Donald E. Bailey, Gale L. Dargitz - Chairman, Herbert Stewart

Members absent: J. Carroll Dean, Dolores Taricani

Others present: C. Thomas Lechner - Manager

OPEN DISCUSSION

None.

MINUTES OF FEBRUARY 7, 1983

The minutes of the Special Meeting for the consideration of the Act 511 Tax Ordinances held on February 7, 1983, were unanimously approved as submitted. Stewart moved; Bailey seconded.

CORRESPONDENCE 1 -- MRS. CHILCOAT SEES THE LIGHT!

A phone call was received on February 18, 1983, from Township resident Jean Chilcoat complimenting the Township of the installation of the traffic signal at East College Avenue - Gerald Street - Struble Road Intersection.

CORRESPONDENCE 2 -- CENTRE COUNTY BOARD OF COMMISSIONERS REGARDING FEDERAL  
REVENUE SHARING

A letter had been received from the Centre County Board of Commissioners advising the Township of the possible elimination or reduction of the Federal Revenue Sharing program. The Commissioners were requesting that each of the County's 36 elected municipal governments work with them to support the continuance of this vital program, either by approving a resolution of support for the FRS or by sending a letter of support for the FRS to the County Commissioners.

Dargitz informed Council that this matter was currently being handled by the COG as it was felt by all members that a unified, regional approach would be more effective than an individual, municipal approach.

CORRESPONDENCE 3 -- PENNDOT RESPONDS TO S. ATHERTON ST. TRAFFIC STUDY REQUEST

PennDOT District Engineer Thomas C. Ickes had responded to the Township's January 25, 1983 request for further traffic studies within the S. Atherton Street corridor between State College Borough and Boalsburg.

In his letter to Manager Lechner dated February 9, 1983, he advised that two of the items (items one and three) be referred to the Centre Region Planning Commission and the CRMPO and Coordinating Committee for evaluating prior to any PennDOT intervention; and, with regard to item 5, the implementation of pedestrian crossings, that the applicable municipality determine the location for these crossings and apply in writing to the Department for a permit. Item 4, the Township's request for a No-Passing Zone, had been denied as it was not considered to be "within the geometrics of a four-lane highway." The Department will, however, act on the Township's request that more appropriate engineering studies be conducted on that area to determine whether a reduction of the speed limit would be in order (item 2).

CORRESPONDENCE 4 -- IT'S A SIGN OF THE TIMES: EISENSTEIN CHALLENGES THE PROPOSED SIGN ORDINANCE

A letter had been received from attorney Virginia Eisenstein on behalf of Morgan Signs, Inc., regarding the proposed revisions to the Township's Sign Ordinance, specifically that section dealing with non-conforming signs (6.1.e.2). Discussion of that letter was postponed until Council Member Taricani, who has been long-involved with the Sign Ordinance, could be present to share her view on the missive's import.

BUSINESS 1 -- RESOLUTION FOR SENIOR CITIZENS ADVISORY COMMISSION

Resolution #90, authorizing the Chairman to sign the Joint Articles of Agreement for the Establishment of a Senior Citizens Advisory Commission, was presented to Council by Chairman Dargitz. He informed the members that this matter had been discussed at the most recent COG meeting where it was recommended that the municipalities approve this second draft of the agreement dated February 14, 1983. Dargitz explained that the Commission's membership would be composed of one representative from each participating Township and three representatives from the Borough. The agreement further provides that the initial terms of appointment be of varied length and outlines the responsibilities and duties of the Commission's administration.

It was then moved by Bailey that Council approve Resolution #90 authorizing the Chairman to sign the agreement for the establishment of a Senior Citizens Advisory Commission. Stewart seconded, the motion was carried unanimously, and the requisite signatures were secured.

BUSINESS 2 -- RESOLUTION FOR BUILDING AND HOUSING CODE BOARD OF APPEALS

Resolution #91, authorizing the Chairman to sign the Joint Articles of Agreement for the Establishment of a Centre Region Building and Housing Code Board of

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of Appeals -- was next presented to Council, This Agreement, Dargitz noted, is the culmination of three or four drafts and has met with the unanimous approval of the COG members.

There was no further discussion and Stewart moved and Bailey seconded that Council approve Resolution #91 authorizing the Chairman to sign the Joint Articles of Agreement for the Establishment of a Centre Region Building and Housing Code Board of Appeals. The motion met with unanimous approval and the articles were signed by the Chairman on the Council's behalf.

BUSINESS 3 -- KEEP ON TRUCKING: THE BIDS ARE REVEALED!

Five companies have responded to the Township's invitation to bid on a truck, the notice and specifications of which were duly advertised and outlined in accordance with all regulations. These bids, which included the option of either a standard or automatic transmission, were opened by Council Chairman Dargitz in the order of their receipt as follows:

1. Braeco Supply Company -- 1983 Chevrolet K-30, 4-wheel drive -- \$20,299 standard; \$20,774 automatic. A Bid Bond was included.
2. Landmark Dodge -- Dodge W350 -- \$18,456.99 standard; \$18,874.99 automatic. A Bid Bond was not included.
3. Hanna International GMC of Lock Haven -- 1983 GMC K-3500 -- \$18,017.99 standard (delivery may not be possible within the stipulated 60 days); \$18,484.56 automatic (again, exception was taken to the 60-day delivery period). A Bid Bond was not enclosed.
4. Valley GMC of Struble Road -- 1983 GMC -- \$19,679.80 standard; \$20,280.75 automatic. A Bid Bond was enclosed. Valley GMC, asked for an extension to the 60-day delivery stipulation.
5. Alleghany Trucks of Altoona -- 1983 GMC K-3500 -- \$19,155.44 standard; \$19,645.44 automatic. Availability would be within 60-75 days. A Bid Bond was included.

Dargitz said that these bids would be reviewed over the next two weeks by both the Township Manager and the Solicitor, and that the contract would be awarded at the next regular Council meeting on March 10.

BUSINESS 4 -- RESOLUTION CONCERNING MAINTENANCE AGREEMENT FOR TRAFFIC SIGNALS AT

ELMWOOD ST., RAMP E AND RAMP G

Resolution #92, authorizing the Chairman to sign the maintenance agreement for traffic signals to be located at Elmwood St., Ramp E and Ramp G was next considered by Council. These traffic signals would be a part of the State College Bypass system and would not be installed for about two years, or until the next link is completed.

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Bailey noted his reluctance to approve a maintenance agreement for traffic signals that are still to be constructed; Lechner concurred, but added that this is a standard agreement which must be signed before PennDOT will even attempt to complete the Bypass.

There being no real choice in the matter, Stewart's motion and Bailey's second that Resolution #92 empowering the Chairman to sign a maintenance agreement for those traffic signals to be located at Elmwood St., Ramp E and Ramp G met with unanimous, if unenthusiastic, approval.

BUSINESS 5 -- SIGNATURES FOR PREVIOUSLY-APPROVED PLAN AND ZONING AMENDMENTS

The Preliminary-Final Plan for the Rallis Subdivision, which had been approved by Council at the February 10, 1983 regular meeting, was formally signed by the Council members.

The signing of two Township Zoning Ordinance Amendments -- 59A (rezoning the Darlington property to General Commercial) and 59B (rezoning University District to General Commercial District) -- was postponed until Taricani, under whose chairmanship the latter amendment was approved, could be present to add her signature.

A formal Public Hearing for the Township's take-over of Grant and Liberty Streets was also discussed and will be advertised in accordance with state regulations. In addition, Lechner noted that all property owners affected by this take-over must be notified in writing at least 10 days prior to this proposed Amendment's approval.

BUSINESS 6 -- WORKSHOP ON TAXATION

A Workshop for further consideration of the imposition of a tax on businesses was next conducted by Council. At the Public Hearing held on February 7, 1983, Dargitz noted, the Township's merchants objected to several aspects of the proposed Mercantile License Tax Ordinance, most notably its exclusion of service businesses and manufacturing. In response to these objections, some of the Council members have been considering the imposition of a Business Privilege Tax, which would include services, in lieu of the Mercantile License Tax, which does not. (Local taxation of manufacturing is prohibited by law as is the taxation of any business' profits.) In addition, a reduction of the millage rate on retail sales from .75 mills to .5 mills is also being considered. (The wholesale rate, proposed at .5 mills, would remain the same. This reduction would eliminated the necessity for the merchant to distinguish between his retail and wholesale sales, Dargitz later explained.)

In response to Bailey's question on the effect the retail sales millage rate reduction would have on the anticipated revenues, Dargitz replied that the figures should remain virtually the same -- \$40-50,000. Although there are very few significant service establishments currently located in the Township, Dargitz believes that this broadened tax base should make up for the proposed millage loss. He added, however, that all estimates are approximations -- rough approximations -- and that

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there is very little data available on which to base an accurate estimate. (State sales tax records, for example, are kept only on a County, not a municipal, basis.)

Dargitz then suggested that the best approach for Council to take in regard to the imposition of a Business Privilege Tax would be to draft an Ordinance to that effect, incorporating those provisions --i.e., a tax on services and a retail sales millage rate reduction -- previously discussed. An additional Public Hearing would not be necessary (the previous Public Hearing was also not required, but was held as a courtesy to the Township merchants); but the proposed Ordinance would have to be advertised three times within three weeks in accordance with State Law. Public comment, would, of course, be entertained at the regular meeting at which the Ordinance will be considered. Should the Ordinance be adopted, Dargitz remarked, the earliest it could be expected to go into effect would be the first of July.

To Stewart's comment that the other municipalities in the Region have not imposed such a tax, Dargitz replied that, with the exception of the Borough, College Township is the only County municipality harboring significant commercial activity. Moreover, he added, College Township has a history of imposing a tax on businesses, having had a Mercantile Tax prior to its repeal in 1964/65.

Bailey concurred with Dargitz that a Business Privilege Tax Ordinance be drafted; Stewart remained opposed.

ANNOUNCEMENT 1 -- CONTRIBUTIONS REQUESTED FOR EAST COLLEGE AVENUE-GERALD STREET-  
STRUBLE ROAD TRAFFIC SIGNAL

Manager Lechner informed Council that letters requesting contributions to help defray the cost of the traffic signal installation at East College Avenue-Gerald Street-Struble Road have been sent to the businesses, industries, developers and property owners of that area. During Council's initial consideration of that intersection's signalization, he noted, the developers on each side of the road, as well as some businessmen and residents, indicated their willingness to contribute toward the signal's cost.

Dargitz concurred, and added that a study was conducted last year to determine approximately what percentage of the traffic in that area is generated by each business concern. Based on that information, a formula was then developed to determine each business' "reasonable share." This amount, which is a request, not an assessment, Dargitz emphasized, was indicated on the letter sent out by Lechner.

At the time of this meeting, it was too early to judge the response of the concerned citizenry; Lechner did note, however, that one check had already been received.

ANNOUNCEMENT 2 -- CABLE TV ORDINANCE

As a result of Council's adoption of a Franchise Fee on Cable TV Ordinance, a letter had been sent to Centre Video informing them of this decision and requesting

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their approval through their corporate structure. After their approval is received, Lechner stated, the Ordinance should be finalized within a two-to-three-week period. Enactment of this Ordinance, however, will be retroactive to January 1, 1983, the effective date of the Ordinance will be the date of acceptance.

ADJOURNMENT

Bailey's motion and Stewart's second that the meeting be adjourned was carried unanimously at 5:07 pm.

Respectfully submitted,

C. Thomas Lechner  
Secretary

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