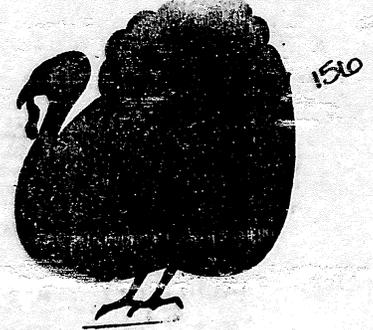


COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING  
NOVEMBER 11, 1982  
7:30 P.M.

A G E N D A



**CALL TO ORDER**

**OPEN DISCUSSION (15 MINUTES)**

**MINUTES OF PREVIOUS MEETINGS**

- (1) October 14, 1982 (Regular)
- (2) October 21, 1982 (Public Hearing)

**UPDATE INFORMATION**

**TREASURER'S REPORT**

**PUBLIC HEARING:** Proposed Use of Revenue Sharing Funds - 8:00 P.M.

**CORRESPONDENCE:**

- C-1 C. B. Osterhoudt
- C-2 Brenda Barrett, Bureau of Hist. Preservation  
re Proposed Zoning Change along E. College Ave.
- C-3 Marlowe Froke -- Planning Commission
- C-4 Police Chief re 1983 Police Budget
- C-5 Paul Oversier, CATA re request for bus service  
to Hospital

**PLANS FOR APPROVAL:**

- P-1 Spring Creek Estates Subdivision Plan, Phase V
- P-2 Spring Creek Estates Subdivision Plan, Phase VI

**BUSINESS:**

- B-1 Decision on Curative Amendment Request
- B-2 Petition from Property Owners - Grant &  
Liberty Streets
- B-3 Guaranty Agreement - CATA & Central Co. Bank
- B-4 Fox Hollow Proposed Bikeway - Request to  
reduce Speed Limit
- B-5 Maintenance & Policing Agreement from PennDOT  
for Proposed Fox Hollow Road Bike Lanes
- B-6 PennDOT's Traffic Light Proposal at Branch Rd.  
and Route 322
- B-7 Grant of Easement, South Atherton St. Bikeway  
from S. C. Boro Water Authority
- B-8 Resolution of Intent - Centre County Solid  
Waste Authority, Long Range Plans

B-9 AN AMENDMENT TO THE  
SUBDIVISION ORDINANCE THAT  
WOULD ADDRESS THE  
SITUATION WHEREIN A MAJOR  
SUBDIVISION WAS BEING  
DEVELOPED IN PHASES.

**COMMITTEE REPORTS**

**ANNOUNCEMENTS**

**ADJOURNMENT**



COLLEGE TOWNSHIP FINANCIAL REPORT

BUDGET AND ACTUAL APPROPRIATIONS

for the 10 months ended October 31 19 82

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	1981				1982			
	BUDGET 1981	ACTUAL Y-T-D	BUDGET 1982	ACTUAL MONTH	ACTUAL Y-T-D	BUDGET REMAINING for 1982	PROJECTED REMAINDER for 1982	NET CHANGE in 19 82 BUDGET
<b>BEGINNING CASH</b>	\$ 61,766	\$ 61,766	\$ 52,394	\$ N/A	\$ 52,394	\$ 73,546	\$ 72,321	\$ (1,225)
<b>REVENUES</b>								
Real Estate Tax	\$ 96,757	\$ 94,778	\$ 102,108	\$ 117	\$ 96,514	\$ 3,794	\$ 2,500	\$ (1,294)
Local Tax Enabling Act	256,000	233,842	283,000	22,277	238,494	44,506	50,000	5,494
Licenses, Permits	5,000	3,156	5,000	184	4,401	599	200	(399)
Fines	42,000	30,693	41,000	5,158	32,829	8,171	9,500	1,329
Interest and Rents	11,767	8,773	30,224	3,569	25,840	4,384	6,550	2,166
Grants	115,637	102,337	149,397	24,550	138,891	10,506	-0-	(10,506)
Other Departments and Services	21,000	18,031	21,000	1,457	18,370	2,630	4,500	1,870
Miscellaneous	12,070	3,256	12,720	62	5,648	7,072	100	(6,972)
<b>Total Revenues</b>	<b>\$ 560,231</b>	<b>\$ 494,866</b>	<b>\$ 644,449</b>	<b>\$ 57,374</b>	<b>\$ 562,787</b>	<b>\$ 81,662</b>	<b>\$ 73,350</b>	<b>\$ (8,312)</b>
<b>TOTAL AVAILABLE for APPROPRIATION</b>	<b>\$ 621,997</b>	<b>\$ 556,632</b>	<b>\$ 696,843</b>	<b>\$ N/A</b>	<b>\$ 615,181</b>	<b>\$ 155,208</b>	<b>\$ 145,671</b>	<b>\$ (9,537)</b>
<b>EXPENDITURES</b>								
Administration	\$ 90,384	\$ 88,703	\$ 112,442	\$ 8,388	\$ 105,470	\$ 6,972	\$ 13,500	\$ 6,528
Tax Collection	31,006	27,656	33,094	3,198	31,412	1,682	6,300	4,618
Police Protection	159,152	120,923	177,014	17,095	144,327	32,687	29,139	(3,548)
Fire Protection	26,718	28,192	27,744	6,315	28,157	(413)	62	475
Regulatory, Planning, Zoning, Code	17,210	17,059	20,000	4,591	18,727	1,273	100	(1,173)
Health and Sanitation	1,800	1,333	1,500	-0-	595	905	200	(705)
Highway Maintenance	102,867 <sup>a</sup>	60,607	115,419 <sup>a</sup>	6,621	70,337	45,082 <sup>a</sup>	22,000	(23,082)
Snow Removal	22,000	16,517	23,000	-0-	27,402	(4,402)	11,000	15,402
Maintenance Equipment	7,500	6,649	7,500	430	7,431	69	1,600	1,531
Road Construction & Rebuilding	-0-	-0-	-0-	-0-	-0-	-0-	15,013	15,013
Equipment	18,066	-0-	35,053	929	929	34,124	5,800	(28,324)
Library	22,335	22,305	22,172	5,418	22,172	-0-	-0-	-0-
Parks & Recreation	43,414	37,565	44,790	3,925	39,217	5,573	-0-	(5,573)
Transportation	8,275	10,693	11,000	-0-	11,480	(480)	-0-	480
Employee Fringe Benefits	27,100	22,977	29,130	2,148	12,941	16,189	6,236	(9,953)
Miscellaneous	23,798	19,159	8,713	4,040	6,393	2,320	800	(1,520)
Principal Paid on Indebtedness	4,300	4,300	5,274	88	4,960	314	148	(166)
Interest Paid on Indebtedness	860	860	11,803	923	9,685	2,118	1,874	(244)
<b>Total Expenditures</b>	<b>\$ 606,785</b>	<b>\$ 485,498</b>	<b>\$ 685,648</b>	<b>\$ 64,109</b>	<b>\$ 541,635</b>	<b>\$ 144,013</b>	<b>\$ 113,772</b>	<b>\$ (30,241)</b>
<b>REMAINDER for APPROPRIATION</b>	<b>\$ 15,212</b>	<b>\$ 71,134</b>	<b>\$ 11,195</b>	<b>\$ N/A</b>	<b>\$ 73,546</b>	<b>\$ 11,195</b>	<b>\$ 31,899</b>	<b>\$ 20,704</b>

Note: a - Includes Road Construction and Rebuilding for budget purposes.

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COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING AND  
PUBLIC HEARING - REVENUE SHARING FUND BUDGET  
NOVEMBER 11, 1982

Chairman Taricani called the meeting to order at 7:36 P.M. in the College Township Municipal Building.

Members Present: Gale L. Dargitz, J. Carroll Dean, Herbert W. Stewart, Dolores Taricani - Chairman

Members Absent: Donald E. Bailey

Others Present: C. Thomas Lechner, Manager  
Robert L. Hayden, Treasurer

OPEN DISCUSSION

During this 15 minute period set aside for consideration of non-agenda items, Chairman Taricani brought up the question of traffic safety--or the lack thereof--on Route 322 from Boalsburg to the State College Borough Line. She believes the maximum speed limit of 45 MPH to be too high for that area; also, there should be some means of better controlling the flow of the four lanes of traffic through the Harris Acres Intersection.

She explained that although PennDOT had previously conducted a car count of that area, it was done at a time when the University was not in session, and was thus not reflective of the true situation. Taricani was recently told by a PennDOT Representative that the area was slated for further study; she would like Council to follow up that discussion with a written request to PennDOT that the problem be looked into. Council was in agreement.

MINUTES

The Minutes of the Regular Meeting of the College Township Council on October 14, 1982 were approved unanimously. Dargitz moved; Stewart seconded.

The Minutes of the Public Hearing of the College Township Council were approved unanimously with the following spelling correction: "He is" on Page 1, Item 1. Dean moved; Dargitz seconded.

MANAGER'S UPDATE

Manager Lechner informed Council that Anthony DeCrappeo has accepted the position of Controller effective November 1, 1982.

TREASURER'S REPORT

The Treasurer's Report was received as distributed. Dargitz moved; Stewart seconded.

CORRESPONDENCE

ITEM 1 -- Council received a letter from C. B. Osterhoudt, on behalf of his son who was cited for non-payment of estimated income taxes.

Taricani commented that she had not realized the Township was actually prosecuting residents for not paying their estimated taxes; Dargitz opined that in any case, penalties make more sense than prosecution.

Dean explained that it is the Township's option to wait until the end of the year -- as the State and Federal Governments do -- before taking any action. In this particular case, the resident had an estimated profit of zero and thus an estimated tax of zero; he did not respond because he did not have to respond, and therein lies a defect in the Ordinance.

Taricani concurred, adding that the tax regulation is unclear. The regulation should be so structured as to require the self-employed resident to respond regardless of tax liability.

Council was in agreement that the assessment of penalties would be preferable to prosecution, and further agreed to look into the Township's tax policies. Manager Lechner was instructed to respond to Mr. Osterhoudt's letter on behalf of the Township.

ITEM 2 -- A letter from Brenda Barrett, Director of the Bureau for Historic Preservation, was received regarding the proposed zoning change along East College Avenue. Ms. Barrett suggested that commercial use along that area be limited to those uses as provided in the current Ordinance, and that Council develop long range plans encompassing all the values of that particular area.

ITEM 3 -- A letter was received from Marlowe Froke, of the College Township Planning Commission. Mr. Froke enclosed a copy of

ITEM 4 -- A letter was received from Elwood Williams, Jr., Chief of Police for State College Borough, informing Council of a modification in the per unit rate used to determine College Township's share of the 1983 Police Budget.

Dean noted that he has always found the Borough's method of determination awkward, and suggested that the net budget be calculated according to man hours rather than number of positions. The main problem with the change in the per unit rate, however, is the change itself. As noted by Lechner, the current contract calls for one year's notice before the contract can be terminated or a change be implemented. In Lechner's opinion, the proposed per unit modification is illegal. Also, commented Taricani, it would be expensive -- the proposed change entails an increase of over \$20,000.

Council agreed to study this problem further; Manager Lechner will get details from the State College Borough.

ITEM 5 -- Paul Oversier, Managing Director of CATA, wrote a letter to Council requesting feedback on CATA's proposal to initiate limited (five trips per weekday) bus service to Centre Community Hospital on a demonstration basis.

At this point -- 8:00 p.m. -- Dean moved and Dargitz seconded to recess and continue the Regular Meeting following the advertised Public Hearing. The motion was carried unanimously.

PUBLIC HEARING ON THE PROPOSED USE OF REVENUE SHARING FUNDS  
FOR THE 1983 BUDGET -- 8:00 P.M.

Nancy Noll, the Executive Director of the Centre County Home Health Service, outlined to Council the kinds of services her Agency provides ("anything necessary to help an individual live independently in his own environment"), to whom they are provided, and the reasons for the Health Service's current deficit. She distributed brochures detailing the activities of the Health Service, and presented the Council Members with a computer printout specifically related to those services provided to the residents of College Township. She stated that out of 1080 Centre County patients helped last year, 60 were residents of the Township; moreover, 10% of the Agency's Hospice patients were College Township residents. Deficits in the budget were mainly incurred from the aid given to State-assisted and self-paying patients.

Taricani commented that she has always been very impressed with the Health Service. She noted that the Township allocated \$700 more to the Service last year, and that the Council will take the Agency's request for funds into consideration.

No further testimony was presented, and, at 8:16 P.M., Stewart moved the Public Hearing be adjourned. Dean seconded, and the motion was carried unanimously.

College Township Regular Meeting - 8:17 P.M. (Continued)

PLANS FOR APPROVAL

Pat Ward, of Uni-Tec, offered Subdivision Plans, Phase V and Phase VI, Spring Creek Estates for Council's approval. He presented a location map and identified those areas under consideration. Dave Sweetland, Secondary Engineer for the Township, joined the discussion; and, along with Dargitz, noted the absence of an updated overall sketch plan detailing the remaining areas of the development.

Taricani added that the Council had also requested, but has never received, an overall plan for storm water management. Ward stated that a Storm Water Management Plan had been drawn up at the beginning of the development; a revised plan was shown to Manager Lechner on Wednesday, November 10; and a copy of that revised plan was in the mail to Sweetland. Ward also noted that there have been long-standing problems with the distribution of Uni-Tec's plans.

Dean mentioned that under the new Subdivision Ordinance, only a Preliminary Plan and a Final Plan delineating the various sections of the tract are required. He believes the Township's Subdivision Ordinance to be deficient in that it does not call for a Sketch Plan and does not adequately make allowance for a parcel to be developed in small areas. Sweetland agreed, but added that good land planning assumes you know the whole before you divide the parts; the regulations do not make this clear, however, and he also suggested they be looked into.

Ward noted that all street and layout plans have been provided upon request. He added that although there has been discussion of an overall sketch plan throughout the program, actual guidelines have never been set. To Dargitz's comment that good planning calls for an overall view, he replied that the entire area has been examined in his office; plans have just not been prepared for Council.

Lechner commented that the development has been a piece-meal operation from the start. He spent a considerable amount of time with Ward on Wednesday going over plans and background. Ward will make copies of these plans available to Council. Although he is not an engineer, Lechner believes these plans to be workable.

Dean then read from the Subdivision Ordinance: "In each case, prior to preliminary approval of the plan, the Council and the developer shall enter into a written agreement specifying the sequence of development of sections or stages, the maximum time permitted the developer for final submission of the plan for each subsection, and any other such requirements or guarantees as are applicable to that particular development". Dean noted that none of this has ever been done. The Council, the Planning Commission, and the developer have all been remiss in failing to follow the regulations.

To Dean's question as to how much more development is expected, Ward replied that four more phases remain. He also ascertained that there exists an overall drainage plan. Sweetland commented that the Storm Water Management Plan he has seen is not detailed enough; he would have no problem in approving Phases V and VI as a Preliminary Plan under the condition that Final Plan approval is dependent upon submission of a Sketch Plan showing all information. Jack Mitchell, Developer of the tract, indicated his willingness to go along with conditional approval as long as a swift resolution would occur.

Lechner then brought up the question of walkways, and whose legal responsibility it would be to maintain them -- an issue not addressed by the Ordinance. Also discussed was the issue of open spaces. They have been offered for dedication to the Township, but the Township has not made the commitment to accept them. Both Dean and Taricani noted that an overall policy regarding open spaces -- their acceptance and their maintenance -- must be developed by the Planning Commission and the Parks and Recreation Department.

Next, Council addressed the issues raised in Sweetland's letter to Council, dated November 8, 1982. After an involved and technical discussion regarding leveling areas, Taricani voiced her irritation over having to spend so much time analyzing plans and drawings, and measuring cuts and grades. The Council is supposed to receive information that has been carefully reviewed -- not to act as technical advisors. The entire presentation so far is evidence of sloppy handling.

Lechner reiterated that, through his meetings with Ward, and with the exception of those items raised in the last paragraph of Sweetland's letter, all requirements have been met. Stewart then motioned to accept Phases V and VI of Spring Creek Estates with the provision that Mr. Sweetland receive all necessary information. There was no second, and the motion died.

Dean then moved that the "Preliminary Plan for Phase V and VI of Spring Creek Estates, dated October 15, revised most recently November 9, 1982, be approved on the condition that the Developer agree to provide an overall parcel layout showing the details of street grades, storm water management, and public spaces all prior to submission of the Final Plan. And further, that he agree to make necessary changes in the event a review of the overall layout shows deficiencies". Dargitz seconded.

In response to Dennis Elpern's comment that a clause should be inserted to reflect that the plans be in accordance with Township Regulations, the motion was amended to read "...show deficiencies in meeting Township Regulations". The question was called for and the motion was carried unanimously.

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BUSINESS

ITEM 1 -- Council's decision on the Curative Amendment to the Zoning Ordinance as proposed by W. E. Esber, Charles and Kathryn Rallis, and Nancy Dreibel. Taricani noted that all advertising regulations had been complied with, a recommendation from the Planning Commission had been received, and that Marlowe Froke had requested a work session with Council to discuss the proposed amendment. As noted in Correspondence, the Planning Commission recommended that the Curative Amendment be denied, and further recommended that a Centre Furnace/University District be established.

A recess was declared at 9:20 p.m. for Council to discuss legal procedure. When the meeting was reconvened at 9:28, Dargitz stated that, in his opinion, the Applicants did not show a defect in the Ordinance as claimed. Although he believed that University designation on private land was inappropriate, he did not feel that the points made in the application for a Curative Amendment were convincing.

Dargitz then moved that the Curative Amendment **BE DENIED** and Dean, who also stated his belief that a Curative Amendment would not be the best way to address the problem, seconded.

Taricani concurred, commenting that spot zoning was never involved; and, as for equal protection under the Law, zoning is not supposed to provide equal protection, it provides different types of protection for different uses. Also, the Applicants had never even applied for a permit -- you can't change what hasn't been tried. She was in agreement, however, that there is a problem in the area, the people have been put off for a long time, and the problem must soon be resolved.

Dennis Elpern commented that misconceptions have arisen concerning the issues of Rezoning and Curative Amendments; he suggested that the issue of rezoning be considered separately.

Stewart also felt the Curative Amendment should be denied.

The motion was carried unanimously.

Dargitz suggested and later moved that a Public Hearing be held to consider rezoning that private property North of East College Avenue, between the Martin Oil Company (Dreibelbis property) and Puddintown Road and bounded on the North by University property, sometime in December -- the date to be established later -- and that the Planning Commission should submit its recommendation for appropriate uses before the scheduled hearing. He also stated that the Commission's recommendations should include a reasonable mix and could embrace all types of zoning districts currently in the Ordinance.

Dean seconded Dargitz's motion which Dargitz then amended to read "all privately-owned University-zoned property". Dean seconded again.

It was agreed that all advertising include the legal description of the area involved. Dean then commented on the possibility and indeed the desirability that new districts might be defined, and moved that the motion be amended to eliminate the reference to "those zoning districts currently in the Ordinance". Dargitz seconded. Dean called for the question and it was carried unanimously. Taricani then called for the main motion directing that a Public Hearing be held and that the issue be referred back to the Planning Commission for its recommendation. The motion was carried unanimously, and it was decided that the Public Hearing be held as soon as possible -- the date to be announced shortly.

ITEM 2 -- A petition was presented to Council from the property owners on Grant and Liberty Streets asking that the Township take these roads over--either for a width of 16 ft. or the full 33 ft. width which is required by the Code for the Townships of the Second Class-- for the primary purpose of maintenance for snow plowing and grading. Attorney Richard Campbell represented the property owners, all of whom, with the exception of Mr. Horner, are in agreement that the Township should take over these streets.

Barring 100% acceptance by the residents, the Township still has the ability to take these roads over--either through the right of eminent domain or through proceeding under the Township Code which calls for a public hearing to be held to ordain these roads as Township roads. Mr. Campbell noted that the latter approach would be by far the more preferable, as, in the event one of the residents were to seek damages, the burden of proof would be on the plaintiff.

Council was in agreement that a Public Hearing be scheduled on this matter, and it will be held in conjunction with the Public Hearing on Rezoning.

ITEM 3 -- Guaranty Agreement, CATA and Central Counties Bank. Dean moved to approve a resolution authorizing the Chairman to sign the Guaranty Agreement with Central Counties Bank for a loan not exceeding \$8,800. Dargitz seconded; the motion was carried unanimously.

ITEM 4 -- Fox Hollow Road Proposed Bikeway, Request to Reduce Speed Limit. Sweetland explained that Federal Funding for this bike lane is dependent upon the speed limit being reduced from 40 MPH to 35 MPH between Curtin Road and the College/Patton Township line. Stewart moved and Dargitz seconded that College Township reduce the speed limit on Fox Hollow Road to 35 MPH. The motion was carried unanimously.

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**ITEM 5** -- The Maintenance and Policing Agreement from PennDOT for the proposed Fox Hollow Road bike lanes was discussed. Lechner advised Council that this is a standard agreement placing the responsibility for policing and maintaining the above-named bike lanes on the Township. He also noted that the bike lanes would not be maintained (i.e., plowed) during the winter months, and a short discussion on the advisability of allowing snowmobiles ensued. Dean then moved that Council approve a resolution authorizing the Chairman to sign the Bikeway Occupancy Permit as drafted by PennDOT relative to bikeway lanes on Fox Hollow Road. Dargitz seconded; the motion was carried unanimously.

**ITEM 6** -- PennDOT's Traffic Light Proposal at Branch Road and South Atherton Street (Rt. 322) was discussed. Manager Lechner outlined PennDOT's plans for signalization of the above area. All signals are to be on Borough property, and thus the Borough will incur all expenses. Council members voiced their approval of PennDOT's plans, and agreed to write a letter to State College Borough in support of the signalization.

**ITEM 7** -- Council discussed the Grant of Easement for the South Atherton Street Bikeway from the State College Borough Water Authority. The Water Authority is requesting a legal agreement stating that the Authority will not be responsible for restoration of the bikeway in the event of a water main break. Dean moved that Council approve a resolution to empower the Chairman to sign the Grant of Easement for the bikeway on South Atherton Street as proposed by the State College Water Authority. Dargitz seconded; the motion was carried unanimously.

**ITEM 8** -- Council discussed the proposed Resolution of Intent as approved by the Centre County Solid Waste Authority for the Township "to enter into all necessary agreements and other legal documents including the approval of an official amendment to the Centre County Solid Waste Plan". At a special meeting held on September 29, the COG voted to recommend that each Municipality approve this resolution. Taricani and Dargitz were present at this meeting; and Taricani noted that many of her questions remain unanswered. Dargitz noted that the two most important issues raised were that of flow control and whether the resolution represented a commitment to participate in the resource recovery program in Lock Haven. In addition, he questioned whether the resolution presented to Council was the same resolution passed by COG.

Dean noted that roughly only 50% of these types of systems now in operation break even financially; also, they all have a high maintenance rate. Both Dargitz and Taricani mentioned that there is no way to judge the cost of the program; no costs were guaranteed; and no comparative basis was offered.

Council agreed to table this resolution until more concrete information is presented.

Council Regular Meeting  
November 11, 1982  
Page 9

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ITEM 9 -- Council discussed the procedure for the COG Budget adoption. No action was taken.

OTHER BUSINESS -- Council again discussed setting a date for the Rezoning Public Hearing. Taricani stressed that it should be held before the end of the year. A date and time of that meeting will be established at the next Council meeting.

ADJOURNMENT

The meeting was adjourned at 10:40 P.M.

Respectfully submitted

C. Thomas Lechner  
Secretary

CTL:ss:bh