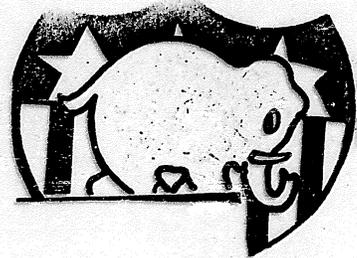


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COLLEGE TOWNSHIP COUNCIL  
REGULAR MEETING  
MAY 12, 1983

TENTATIVE AGENDA

CALL TO ORDER

OPEN DISCUSSION

MINUTES OF PREVIOUS MEETINGS:

- April 14 - Regular Meeting
- April 25 - Spec. Meeting - Road Inspection
- April 28 - Regular Meeting

UPDATE INFORMATION

FINANCIAL REPORT

CORRESPONDENCE:

- (1) From Various Business Establishments in Township RE: Proposed Tax
- (2) From Spring Creek Presbyterian Church RE: Neighboring Municipalities and Adult Entertainment and Adult Bookstores

OLD BUSINESS:

Proposed Mercantile License & Business Privilege Tax Ordinance

PLANNING COMMISSION RECOMMENDATIONS:

REFER TO ATTACHMENT

PLANS FOR APPROVAL:

- (1) Penn Hills PRD, Phase VI
- (2) Nuri Mohsenin, Prel.-Final Subdivision Plan
- (3) J. Kenneth Walker Farm, Prel.-Final Subdivision Plan
- (4) Spring Creek Subdivision, Phase VIII and Phase IX, Preliminary Plan
- (5) Spring Creek Subdivision, Phase VI, Final Plan

BUSINESS:

- (1) Walker Tract PRD, Amended Phasing Schedule
- (2) Replacement for EAC
- (3) Liquid Fuels Fund - 1983 Regular & Special Allocation
  - a) Signature on PennDOT Form MS-339
- (4) Renaming of Street in Penn Hills PRD
- (5) Proposed Changes to Weed Ordinance #28-A
- (6) CATA Budget Discussion
- (7) Discussion on COG Budget

COMMITTEE REPORTS

ANNOUNCEMENTS:

Public Hearing 5/26/83 - State College I.D.A. on Loan Request from Business in College Twp.

ADJOURNMENT



ATTACHMENT

PLANNING COMMISSION RECOMMENDATIONS

- a) Personal Care Boarding Homes - RECOMMENDED APPROVAL
- b) Site Plan, Centre Community Hospital Additions - AFFIRMATIVE
- c) Spring Creek Estates Subdivision, Phases VIII and IX - RECOMMENDED APPROVAL
- d) J. Kenneth Walker Farm, Preliminary & Final Subdivision Plan RECOMMENDED APPROVAL CONDITIONALLY IF SUBDIVIDED LOTS BE REMOVED FROM TRACT 1.
- e) Preliminary-Final Subdivision Plan for Nuri Mohsenin - RECOMMENDED APPROVAL
- f) Subdivision Review Period - RECOMMENDED ADOPTION, Changing Article II, Section 3.3.2 of the Subdivision Ordinance
- g) Amendments to Zoning Ordinance concerning Parking Lots. RECOMMENDED APPROVAL OF ITEMS 1 and 2 AND NO CHANGE WITH ITEM 3.

COLLEGE TOWNSHIP COUNCIL  
Regular Meeting  
Thursday, May 12, 1983

A Regular Meeting of the College Township Council was called to order on Thursday, May 12, 1983 at 7:31 P.M. by Chairman Dargitz in the College Township Municipal Building.

Members present: Donald E. Bailey, Gale L. Dargitz - Chairman, J. Carroll Dean, Herbert W. Stewart, and Dolores A. Taricani

Others present: C. Thomas Lechner - Manager  
Robert L. Hayden - Treasurer

OPEN DISCUSSION

Taricani advised Council of a potential traffic safety problem on that portion of the formerly unpaved section of Cemetery Road which crosses the driveway of the Centre Hills Country Club. Last Fall, she said, Centre Hills requested the State College Borough to erect a stop sign at that near-intersection due to the rapid traffic flow on Oak Ridge Avenue and the resultant several near-accidents. No action has yet been taken. Taricani would like Council to instruct Manager Lechner to alert the State College Borough Manager and Council to this problem for swift resolution. Council was in agreement and Lechner was so instructed.

APPROVAL OF PREVIOUS MINUTES

Approval of the Minutes of previous meetings was postponed until the next Regular Council Meeting.

MANAGER'S UPDATE

Manager Lechner reviewed the information contained in his written update.

Under remarks of the April 28, 1983 Meeting, the second sentence in Item 2 was amended to read "Council was also in consensus that a member not be appointed to attend EAC meetings; however, Council did concur that the EAC appoint one of its own members to sit in on Council Meetings whenever they feel it necessary".

With regard to related Item 3, Folwell's replacement, Lechner told Council that he had contacted Dr. Louis Kardos about the position and he is both available and willing to serve as a member of the EAC.

Lechner also addressed Item 5 of the April 28th Meeting, stating that he had recently spoken with David Zazworsky regarding David Brian's recent remarks at the PSATS Convention.

Zazworsky related that prior to the initiation of the Department's full-scale turnback program, the Township had requested that Branch Road -- without its bridges -- be turned over to the Township. No action was taken at that time, however, and Zazworsky implied that PennDOT's present position is that acceptance of the bridges is conditional to the turnback program. Zazworsky also told Lechner that the Department would have no "hard feelings" should the Council decide to postpone its decision on the Branch Road turnback program; the money that would have been spent improving Branch Road would be diverted elsewhere in the County.

FINANCIAL REPORT

Following a brief discussion of the current status of the Township's budget compared to this year's projected and last year's actual budget, the Financial Report was unanimously accepted. Bailey moved; Stewart seconded.

CORRESPONDENCE

1. Merchants Against the Mercantile Tax.

The following Township merchants have sent letters to Council in opposition to the proposed Mercantile Ordinance: Sears (Joshua Tobey, Manager); Danks (George Morgan, Director of Stores); Stocker Chevrolet, Inc. (Gene Stocker, Jr., Vice-President); The Better Half (Mary Lynch, Owner). The State College Area Chamber of Commerce has also sent a letter stating its opposition to the tax.

2. Presbyterians Against Porn.

Anna Mary Ishler, Clerk of Sessions for the Spring Creek Presbyterian Church, wrote a letter to Council dated March 1, 1983 informing the members that the Church's Session wishes to go on record opposing the opening of any form of "adult" entertainment or establishments in College Township. It was further resolved at the Church's February 6, 1983 Session that the College Township Council be requested to take whatever proper and legal steps necessary to prevent the opening of any such businesses within the area of Council's jurisdiction.

OLD BUSINESS

Proposed Mercantile License and Business Privilege Tax Ordinance. Chairman Dargitz emphasized that tonight's consideration of the proposed Mercantile Ordinance would be in the form of a public meeting. (A public hearing had been held on February 7, 1983.) He summarized the main provisions of the proposed tax -- 1/2 Mill on wholesale and retail sales of goods or services, with the first \$40,000 of sales exempted -- which would net, for example, 50¢ for every \$1,000 of sales or \$80 from a business grossing \$200,000.

OLD BUSINESS (Continued)

In response to Dargitz's call for brief public comment, the following merchants/organizations/persons stated their opposition to the proposed tax: Riverside Markets (Mindy Leitzell, et al); Centre Tire Company (Sam Fisher); Danks (George Morgan); Joan Hubbard; Kelly Water Conditioning (Bob McCool); Stocker Chevrolet (Gene Stocker, Jr.); Roger Jacoby (Insurance); Joel Confer; Gee Bees (Frank Mackey); Clinefelter Carpets (Jerry Clinefelter); Krentzman Supply Co. (Steve Krentzman); Nittany Mall Management (Sandy Ring); the Motorcycle Place (Bill Peacock); Big A Auto Parts (Fred Watson); Vantasia (Dan White); John Walitzer (insurance); Lemont House (Jeff Herman).

Two persons spoke in favor of the tax. Property owner Jim Weis<sup>R</sup> said that since commercial concerns have not reduced the Township's taxes, it is only proper that businesses pay for their share of services received. Al Voigt, after suggesting an initial \$250,000 exemption, commented that the proposed mercantile tax would probably be passed on to the consumers, thus broadening the Township's tax base.

Dargitz then solicited the Council Member's comments.

Stewart is against the tax and has been so "from the very beginning".

Taricani is also opposed. (She also stated her opposition to the media's treatment of the issue.) Her main arguments against the imposition of the tax are that it would tax gross receipts rather than net profit and that the general business climate is poor.

Taricani did agree that the Township's financial position should be examined, and suggested the formation of a five-member Ad Hoc Committee to look into other sources of revenue and to study the Township's fiscal problems as it relates to projects and services. She further suggested that this Committee be composed of the Township Manager, one Council Member, two Township businessmen, and one non-business Township resident, and that the Committee report back to Council in November.

Bailey agreed with Taricani's proposal. Noting that the Council had raised the 1983 Real Estate Tax by 3 Mills, he said that he would like to find a way by which the storm water management and other necessary Township projects could be done.

Dean said that he had "mixed feelings" regarding the mercantile tax ordinance. He said he would have liked to have heard more from the non-merchant residents of the Township, and added that there must be at least 100 elderly residents who would be financially hurt by an additional increase in the Real Estate Tax. But, basing his decision on the quantity of the comments expressed these last few months, Dean said he must vote against the imposition of a Mercantile Tax at this time.

OLD BUSINESS (Continued)

Dargitz, who has been in favor of the mercantile tax, stated that he was now in the minority. He declared the imposition of a mercantile tax in College Township to be a dead issue.

Taricani then moved that the Council appoint a committee of five people, to be composed of two people from the business community, one non-business resident, a member of Council or his delegate, and the Township Manager, to study the Council's fiscal concerns for the Township for the coming year and years as they relate to services and projects, and the revenues that can be generated, and to report back to Council by Mid-October of this year. Bailey seconded.

Dean said that Bill Peacock and Steve Krentzman have already volunteered to act as the business committee members; Bailey said that he knows of a non-business volunteer.

Taricani then called the question and the motion was carried by a 4-1 vote; Taricani, Stewart, Dean, Bailey in Favor; Dargitz, Opposed.

PLANNING COMMISSION RECOMMENDATIONS

Dargitz advised that the College Township Planning Commission had made the following recommendations to Council: the addition of a section to the Township's Zoning Ordinance dealing with personal care boarding homes; an adjustment in the Subdivision review period to allow the Planning Commission more time to review Subdivision Plans before making recommendations to Council; and the addition of some amendments to the Zoning Ordinance concerning parking lots, specifically screening and sight distance.

In response, Dean moved and Stewart seconded that Council set a date -- Thursday, June 9, 1983 -- for a public hearing to consider these recommendations. The motion was carried unanimously.

PLANS FOR APPROVAL

- 1. Penn Hills PRD, Phase VI.

Uni-Tec Engineer Pat Ward presented the plans and outlined the boundaries of Phase VI -- the last phase of single family development in the Penn Hills PRD.

Manager Lechner advised that Township Engineer Dave Sweetland had reviewed the plans and made several suggestions. These comments have been addressed and incorporated into the plans.

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Following a brief discussion, a motion was made by Taricani that council approve the Final Plan for Penn Hills PRD, Phase VI, dated April 29, 1983, last revised May 12, 1983. Dean seconded.

Lechner then noted that a Surety Bond had not yet been obtained. In response, Taricani amended her motion to read that final approval is conditional upon acquisition of a Surety Bond. The question was called and the motion carried.

2. Nuri Mohsenin, Preliminary-Final Subdivision Plan.

Al Stewart, of Triangle Engineering, presented Nuri Mohsenin's plans to resubdivide his one lot at the corner of Elmwood Street and Branch Road into three separate parcels. He has complied with the College Township Planning Commission's request that a copy of the letter delineating the Flood Plain boundaries be attached, as well as the Manager's request that the water lines be located. The location of the fire hydrants, also requested by the Manager, was omitted from the plans, Stewart said, as the hydrants are actually located outside Mohsenin's property.

Lechner said he would recommend approval of the plans with the condition that note is made of the location of the two nearest fire hydrants.

Dean then moved that Council approve Nuri Mohsenin's resubdivision of Lot One into Three Lots, dated April 14, 1983, last revised May 10, 1983, contingent upon adding a note indicating the location of the two nearest fire hydrants and their approximate distance, and that the title be changed to reflect re-subdivision. Bailey seconded, the motion was carried, and the requisite signatures were secured.

3. J. Kenneth Walker Farm, Preliminary-Final Subdivision Plan.

Uni-Tec Engineer Pat Ward has requested, on behalf of his client, Clover Highland Associates, a postponement of Council's consideration of the Preliminary-Final Plans of the J. Kenneth Walker Farm Subdivision pending his client's negotiations with PennDOT. Should the request be granted, Clover Highlands has agreed to a 30-day extension of the 90-day review period.

In response, Stewart moved that Council accept Clover Highland Associates' request dated May 12, 1983, regarding postponement of consideration of the J. Kenneth Walker Farm, Preliminary-Final Subdivision Plan. Bailey seconded, there was no further discussion and the motion was carried unanimously.

4. Spring Creek Estates Subdivision, Phases VIII and IX, Preliminary Plan.

Pat Ward presented the Plans for these last two phases of the Spring Creek Estates Development. He noted that although Phase VIII had received previous preliminary approval, a change in Phase IX also necessitated a change in Phase VIII, thus requiring that it be resubmitted for Council's approval.

Manager Lechner advised that the Township's Planning Commission has recommended these plans be approved; he also said that Ward has agreed to do some recalculations per Dave Sweetland's request.

Taricani then moved and Bailey seconded that Council approve Spring Creek Estates, Phases VIII and IX, Preliminary Plans dated April 15, 1983. The motion was carried and the necessary signatures were secured.

5. Spring Creek Estates Subdivision, Phase VI, Final Plan.

Pat Ward presented, stating that the Final Plan for Phase VI is a near replica of the Preliminary Plan, with the exception of some minor revisions and the additions of those items necessary to a final plan. He also said that only conditional approval is being sought at this time due to the lack of a Surety Bond; Lechner added that the Application Fee has also not yet been satisfied.

A motion was then proffered by Dean that Council approve the Final Plan for Phase VI of the Spring Creek Estates Subdivision, dated May 3, 1983, contingent upon payment of the Application Fee and proof of Surety. Taricani seconded; the motion was approved; and the plan was signed.

6. Walker Tract PRD, Amended Phasing Schedule.

Council is in receipt of a letter dated May 2, 1983 from Uni-Tec Engineer Pat Ward attaching an amended Phasing Schedule dated April 1, 1983 for the Walker Tract PRD.

Taricani moved that Council accept this letter as the new Phasing Schedule for the Walker Tract PRD. Bailey seconded.

It was then noted that a letter and an amended Phasing Schedule had also been received from Cal Zimmerman. Because Zimmerman's letter contained comparative information to last year's Schedule, it was agreed by Taricani to amend her motion to reflect Zimmerman's letter of May 10.

Dean called the question and the motion carried.

NEW BUSINESS

1. Replacement for Environmental Advisory Council Member.

A replacement to fill Robert Folwell's unexpired term in the EAC has been considered by Council for the last several meetings.

As a result, Dean moved that Council nominate Dr. Louis Kardos to complete the term of Robert Folwell in the Environmental Advisory Council. Bailey seconded. There was no further discussion and the motion was carried unanimously.

2. Crossing Guard in Houserville.

Bailey moved to appoint Raymond Wilson as a substitute Crossing Guard in Houserville. Taricani seconded and the motion was unanimously approved.

3. Liquid Fuels Fund: 1983 Regular and Special Allocation.

Manager Lechner presented to Council the necessary forms for the members to sign so that the Township may receive a Special 1983 Liquid Fuels Fund Allocation of \$5,550. This amount will be received from the County Commissioners to help defray costs of the installation of the Branch Road and South Atherton Street Traffic Signalization. Lechner added that these extra funds have been allocated in the same percentage as the expenses for the signal itself.

Dean suggested that the Township send the County Commissioners a letter of appreciation. The other Council Members concurred, and Lechner said he would do so. The three necessary signatures were then secured on PennDOT's Form MS-339.

4. CATA Budget Discussion.

College Township's projected share of the proposed 1984 CATA Budget has increased \$500 over the current year's apportionment. To discuss this rate increase and to review CATA's service to the Township, Lloyd Niemann - the Township's Representative to CATA and Paul Oversier - Manager of CATA were invited to attend this evening's meeting.

The Council Members were in consensus that the Township's budget would not be able to withstand a CATA rate hike. Noting the possibility that the Township's bus service may have to be further reduced, the members charged Niemann and Oversier with the duty of deleting the increase from the Township's 1984 share.

Oversier said that the 1984 CATA budget has not yet been finalized. He also said that there is a good possibility that CATA may realize a higher income than had originally been anticipated and noted the possibility that next year's fuel costs may

be lower than estimated. He added that the Township's budget increase of 4.6% reflects three new service items and these can be reconsidered.

Niemann remarked that should the Council continue to hold the line on CATA expenditures, there will come a time when bus service to the Township will gradually decrease to the point where there is no service at all. Dean replied that that is a conceivability which all mass transit operators must address.

Among the other issues discussed were CATA's somewhat arbitrary decision to initiate the Hospital bus run; next year's expanded service to the Hospital; the re-routing of the "C" bus away from Branch Road and through Penn Hills; and the allocation of the "X" bus expenses.

5. The Renaming of a Penn Hills Street.

Lechner explained that two intersections within the Penn Hills PRD currently bear the same name. The Police Department has advised that this is a potential safety hazard as it may cause delay in getting to the correct scene of the crime, and the Post Office has also indicated it would be advisable to rename the street or part of it. As a result, Lechner recommends that part of Buchenhorst Road, part of Gerald Street, and the new road that extends to Trout Road be renamed -- to Penn Hills Drive, perhaps?

The Council Members were in agreement that the name be changed. Manager Lechner was instructed to check with the Township Solicitor to determine the correct procedure to implement the name change, to determine how best to notify the residents involved, and to draw up a resolution, if necessary, to effect the name change.

6. Proposed Changes to Weed Ordinance #28-A.

Council briefly discussed some revisions to the Township's current Weed Ordinance. Lechner suggested that the Township's Forest and Rural Areas be exempted from the provisions of the Ordinance; he also suggested some changes to Section 3.2.

Zoning Officer Beward advised that Goldenrod is no longer considered to be a nuisance. It does not produce pollen, it is vegetation, and it can be a commercial crop.

It was decided by Council to advertise the revised ordinance as is for a public hearing to be held on June 9, 1983.

7. Discussion of the COG Budget.

COG Finance Committee Member Dean asked his fellow Council Members for some feed-back regarding COG budget guidelines in preparation for the June COG meeting.

Dargitz said that a big issue (and the biggest chunk of the COG budget) has always been employees' salaries. He noted that last year's salary increase was 5% overall plus an up to 3% Merit Increase. He was unsure whether these same guidelines would be appropriate in today's economy.

Taricani said that she believes automatic increases will soon become a thing of the past. People are lucky if they have a job.

Dargitz suggested that the members discuss specific guidelines, i.e., numbers, at the Council's Executive Meeting to be held immediately thereafter.

OTHER BUSINESS

Dean said that he had read College Township Planning Commission Member George Borosque's April 25, 1983 Memo regarding the Centre Regional Housing Survey.

While Dean stated that he believes the questions Borosque has raised are pertinent, he also feels the matter should have been pursued with the Centre Regional Planning Commission before being brought to Council.

Council concurred and Dean suggested that Borosque be advised of Council's position. Should Borosque not receive any satisfaction from the Centre Regional Planning Commission, Dean added, then Council would be more than glad to help.

ADJOURNMENT

At 10:30 P.M. the Council adjourned to meet in Executive Session.

Respectfully submitted,

C. Thomas Lechner  
Secretary

CTL:bh