

COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING HELD
APRIL 12, 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.
Treasurer Robert L. Hayden

MINUTES

Minutes of March 8, 1979 - corrections as follows:

Page 9, Line 2 - delete "with T & R Electronics"

Page 9, Line 3 - change "live" to "five"

Page 10, Paragraph 3 - change first two lines to read

(11) "Mrs. Taricani suggested that the information received by Council Members was second or third-hand, and it might be..."

Mr. Trotter moved the minutes of the March 8, 1979, meeting be approved as corrected; Mrs. Taricani seconded the motion; and it was carried unanimously.

Minutes of March 27, 1979, Special Meeting relative to the Post Office situation. Mr. Ziegler moved that the minutes of the March 27, 1979, meeting be approved as submitted; Mr. Bailey seconded the motion; and it was carried unanimously.

UPDATE

Mr. Williams reported that he had written to McDonald's Corporation inquiring as to their time schedule for designation of fire lanes at the McDonald's restaurant at the Nittany Mall, suggesting that the fire lanes be so designated by June 1, 1979. McDonald's have indicated the fire lanes will be designated as soon as possible but no later than June 1, 1979.

Mr. Williams also had written John W. Miles, Centre County Recorder, relative to the Transfer Tax audit. Not receiving any response, Mr. Williams then called and discovered the Recorder's Office had not received a copy of the audit and had talked recently with Reed McCormick. Memo from Mr. McCormick on this matter to be reviewed by Council later in the meeting.

Concerning the storm water problem in the area of Claster's, Mr. Williams contacted the College Township Environmental Advisory Council. The E.A.C. is aware of the problem and is working with PennDOT on it. The PennDOT engineer suggested that D.E.R. also be contacted regarding this problem.

The correspondence from D.E.R. relative to the ground water quality in the area of the Ruetger-Nease property has been forwarded to the College Township E.A.C. with the request that the E.A.C. work with D.E.R. on this matter. Also a letter was sent to D.E.R. informing them that the correspondence had been forwarded to the College Township E.A.C. and that the E.A.C. would be in touch with them. Mr. Williams indicated that the E.A.C. had already contacted D.E.R. concerning the meeting mentioned in their letter.

Relative to the Study of Public Water System in College Township advertisement for bids to be in the Township Office by 4:00 p.m. on May 7, 1979, has been accomplished. The bids will be opened at the May 10, 1979, Council Meeting. Direct solicitations were sent to: Glace & Glace, Harrisburg, PA; Betz-Converse-Murdock, Inc., Plymouth Meeting, PA; P. Joseph Lehman, Inc., Hollidaysburg, PA; Hill & Hill Engineers, North East, PA; Nassaux-Hemsley, Inc., Chambersburg, PA; Penn State Engineers also picked up a set of specifications. To Mrs. Taricani's question of "Where do we advertise?", Mr. Williams responded "in the Centre Daily Times only."

Mr. Williams reported that the spring Lea Drive project is underway, the storm pipes are all in and the catch basins are about finished. Regarding the Thompson Street project, all the property owners have agreed and the contract has been signed. The Township is currently in the process of recording the agreements and making a loan. The project will be started in the near future.

TREASURER'S REPORT

Mr. Robert L. Hayden, Treasurer, reviewed the information included in the report for the Council.

Mr. Bailey asked if the money the Township was to receive from the State for clearing of State roads had been received. If so, was it reflected in the receipts of the Treasurer's Report? Mr. Williams indicated that the money had been received, the second payment being received in January, and had been reflected in the General Fund. Mr. Williams added that the contract with the State for road clearing expires on Sunday, April 15. The Township's Budget for road clearing was \$24,000 and to date approximately \$21,000 had been spent, indicating that the clearing of the State roads within the Township had not put any great burden on the Township.

Mrs. Taricani asked if it was a good time to approach the State regarding upgrading East Branch Road and subsequently turning it over to the Township. Mr. Williams indicated that according to recent articles in the newspapers, the State is considering putting some of the roads into good shape and turning them over to the local governments.

Mr. Bailey asked if the \$24,000 was the budget for this calendar year? Mr. Williams indicated it was and the \$3,000 remaining would be used for putting up snow fence in the fall and purchasing salt.

Mr. Ziegler suggested that Figure 3 of the Treasurer's Report be reworked so that it would be more clear.

Mr. Ziegler moved that the Council accept the Treasurer's Report; Mr. Bailey seconded the motion; and it was carried unanimously.

CORRESPONDENCE

1. Letter (March 29, 1979) from Reed McCormick, College Township Solicitor, to Kenneth Williams, Real Estate Manager, ConRail, transmitting a copy of Certificate of Filing issued by the Public Utility Commission of the Commonwealth of Pennsylvania under the provisions of Section 507 of the Public Utility Law, Title 66.

2. Letter (March 26, 1979) from Commonwealth of Pennsylvania, Pennsylvania Historical and Museum Commission, notifying the Township that the Oak Hall Historic District has been evaluated and has been determined to be worthy of inclusion in the PA Inventory of Historic Places.

3. Letter (March 29, 1979) from Gregory Ramsey, Coordinator, Historic Registration Project, forwarding to Council a copy of a National Register application defining and documenting a Oak Hall Historic District.

4. Memorandum (March 20, 1979) from Tom Kurtz, General Secretary, Centre Region Council of Governments, relative to the Model Subdivision Ordinance, requesting each municipality to review the draft ordinance and submit comments, suggestions, and changes to the Centre Regional Planning Commission.

5. Memorandum (April 9, 1979) from Reed McCormick regarding Transfer Tax audit. Mr. McCormick indicated in the memorandum that the Centre County Recorder's Office was not aware of any Transfer Tax remaining or determined to be paid to College Township based on any such audit. Additionally, Mr. McCormick suggested that legislation be introduced via the State Association which would provide such information to each municipality at the time such audit results are completed by the Commonwealth Auditor.

Mr. Ziegler suggested this matter also be referred to Senator Corman and Mr. Bailey added Representative Cunningham. Chairman Dean asked Mr. Williams to ask Mr. McCormick to draft a letter to Senator Corman and Representative Cunningham with copies to the Executive Secretary of the Township Association.

PLANS FOR APPROVAL

1. Napier Subdivision. Fred D. Gay presented the plans to Council. Council noted that the deficiencies as pointed out by the Planning Commission had been corrected.

Mr. Ziegler moved that the Final Plan, Napier Subdivision (Pennstan) dated February 9, 1979, Drawing 7901 be approved. Mrs. Taricani seconded the motion and it was carried.

Mr. Gay indicated that he was being asked to get the storm water plan for this subdivision signed and asked how the Township handled this. Chairman Dean said it was usually considered part of the subdivision plan and when the subdivision plan was approved, the storm water plan was approved. Mr. Williams indicated that inasmuch as Mr. Gay was being asked to have a signature on the storm water plan and Stan Hoy had checked it that if Mr. Gay brought the plan to the Township Building he would sign it.

2. Resubdivision and Replot of Section II, Phase I and II, Lots 42 thru 73, Mt. Nittany Terrace, North Lemont. Frank Welch, Uni-Tec, presented the plan to the Council. In their consideration, the Planning Commission had waived the notation for contour lines and Council questioned the appropriateness of this. Mr. Welch explained that this new drawing had been done to show changes in lot lines to accommodate sewer and water lines and that the Planning Commission had waived the contour lines requirement so that they would not have to go back and do another complete topographic survey. After making sure that the deficiencies as noted by the Planning Commission had been corrected, Mrs. Taricani moved the Council approve the Resubdivision and Replot of Section II, Phases I and II, Lots 42 through 73, Mt. Nittany Terrace, North Lemont, dated February 1, 1979, last revised 4/9/79. Mr. Trotter seconded the motion and it was carried unanimously.

3. ReSubdivision of Lots 3 thru 9 and 12 thru 14 -- Walnut Grove Subdivision. Frank Welch presented the plans to the Council. Council determined that the deficiencies as noted by the Planning Commission had been corrected. Mr. Ziegler moved that Council approve the Resubdivision and Replot of Lots 3 thru 9 and 12 thru 14, Walnut Grove Subdivision, dated April 9, 1979. Mr. Trotter seconded the motion and it was carried unanimously.

BUSINESS

1. Post Office Status Report. Chairman Dean reported that at a work session with Council, Witmer Construction Company, the Postal Department, legal staff of the Concerned Citizens of Lemont,

and the President of the Concerned Citizens of Lemont, the Postal Department agreed to settle with Witmer Construction Company up to a maximum of \$4,000. The total claim is in the amount of \$13,025. The Concerned Citizens of Lemont have taken on the challenge of raising the remainder of the amount.

The Council referred to the State Code for Townships of the Second Class to determine how they could help. It was determined that there is no way legally the Council can donate or give to the Concerned Citizens of Lemont or to the Witmer Construction Company. There are several legal reasons but the two basic ones are: payment cannot be made to Witmer Construction because Council is not party to the contract in the first place; and payment cannot be made to the CCL because Council would have nothing to show for it -- buy no rights, no real property, no equipment, etc.

A citizen attending the meeting asked if any further effort had been made to see if the Post Office Department would be willing to increase their payment to Witmer Construction. Chairman Dean responded that on the advice of Mr. Clinger's office in Washington, D.C., a letter had been written to the Eastern Regional Postmaster General Dorsey in Philadelphia. The letter had been mailed on April 6, 1979 and no response had been received.

2. Public Hearing -- East College Avenue Rezoning. Chairman Dean indicated that this portion of the meeting was a public hearing called for the purpose of considering several requests for rezoning of several properties along Benner Pike or East College Avenue in College Township. All proper legal notices and announcements had been made. All witnesses would be sworn in. No testimony would be received that was not sworn testimony.

Chairman Dean asked if any applicant for rezoning had any objection to the testimony being recorded; there was no objection.

Chairman Dean indicated that this was the second hearing on this matter. He presented the opportunity for those present to add additional testimony to that given at the first hearing. There was no new testimony given.

Mrs. Taricani moved that Council rezone to General Commercial, C-1, a portion of land, one-lot deep along the east side of East College Avenue from the intersection of East College Avenue and Lake Street to the intersection of East College Avenue and Limerock Terrace. Being the same premises of the now or former Elizabeth Jodon (Boron Oil Co.), James L. Beamer (Nittany Motor Club), Mr. & Mrs. Robert Foust, Estate of Miles O. Campbell, State College Real Estate Investment Corp.-c/o J. Alvin Hawbaker, Mr. & Mrs. Francis J. Billetts, Mr. & Mrs. Joseph Mitchell, Mr. & Mrs. Fernando Magnon, Mr. & Mrs. Silver Auman, Baldwin Builders Incorporated, and Skat Oil Company (Manufacturers Equity Corp.). Mr. Bailey seconded the motion. The motion carried with four Council members voting in favor and Chairman Dean casting the opposing vote.

Robert Foust, one of the property owners involved, expressed his appreciation for the Council's time and consideration in this matter.

Fernando Magnon, also a property owner involved, asked Council the advantages and disadvantages of the rezoning. Chairman Dean read from the Zoning Ordinance the various types of uses permitted in the General Commercial Zone. Mr. Magnon was assured by Council members that he could continue to use his property as a residence and that in the event he wished to dispose of it, he could sell it for a residence or for any of the uses permitted in the Commercial Zone.

The Public Hearing on the Rezoning of the aforementioned portion of East College Avenue was concluded.

3. Public Hearing -- Adopting New Codes Relative to Building, Plumbing, Housing, and Fire. Chairman Dean indicated that this portion of the meeting was a public hearing called for the purpose of adopting new Codes relative to Building, Plumbing, Housing, and Fire. All proper legal notices and announcements had been made. All witnesses would be sworn in. No testimony would be received that was not sworn testimony.

David Beitz, Administrator Code Enforcement, suggested that Section 301 of the Fire Prevention Code be deleted since it presented a conflict with what was in the Ordinance relative to the Official to contact to obtain a burning permit. Following discussion on how burning permits are obtained, Council decided not to delete Section 301.

Mr. Trotter moved that Council adopt Ordinances 65, 66, 67, and 68. Mrs. Taricani seconded the motion. Chairman Dean explained to the audience that these were updates in Ordinances that the Township already had and that their adoption repealed the previous Ordinances. The motion carried unanimously.

The public hearing on adopting new Codes was concluded.

4. Centre Area Transit Authority Budget. Chairman Dean pointed out two aspects to consider in reviewing the CATA Budget: level of service; and actual budget itself, and anything that related to it in the comments.

The COG General Forum agreed that each municipality should review the budget and be prepared to discuss the regional trends at the COG April Meeting which was April 9. Upon receipt of the input and adjustments required by COG, the CATA will revise the budget and adopt it at the regular CATA Meeting scheduled for May 16. Discussion followed on the level of service and the various items in the budget. Mr. Ziegler suggested the CATA Budget be forwarded to the Finance Committee for their review and comments. In conclusion, the Council was satisfied with the level of service proposed and had no significant complaint about the budget.

A member of the audience asked if future expansion of the bus routes was to include a regular bus to Houserville. Chairman Dean indicated that he knew of no such proposed route, that Houserville was considered only as part of the "work bus" with stops in the morning and the evening.

5. Railroad Crossing at Whitehill Street. Mrs. Taricani indicated for those present that Highland Associates owns land in the area of Whitehill Street in Lemont which they want to develop. In

order to do that, a railroad crossing is needed. Some confusion has resulted in who is responsible for proceeding with the project. Reed McCormick had written to Mr. Blasko, Counselor for Highland Associates, indicating that College Township had proceeded as far as it could and that the next steps were up to Highland Associates. Mr. Blasko answered that indeed it was the responsibility of College Township to proceed with this project and that Highland Associates would be willing to cooperate in any way they could.

Mr. Williams indicated that he was informed that plans for the crossing are now awaiting approval and as soon as approval is received, the project can proceed.

Council requested Mr. Williams work with the appropriate people at Highland Associates to have a contract drawn up for the building of this crossing to the Township's specifications at no cost to the Township. Council further indicated that until such time as this crossing is completed, no building permits should be issued for developing in the area concerned.

Mr. Ziegler said that previously Rick Gingrich had been appointed as spokesman for Highland Associates in this matter. Mr. Ziegler suggested that Highland Associates be requested to again appoint a spokesman.

6. Criteria for the E.A.C. Inventory of Environmentally Significant Areas in College Township. Council felt that "5. Sociological Significance" of the criteria was too limited and asked Mr. Williams to return the criteria to the E.A.C. with this comment and to also inform the E.A.C. that Council has been impressed with the type of approach the E.A.C. has used in reviewing some of the problems of the Township.

7. Fire Lane -- Roller Skating Rink (Continental Skate Corporation). Following discussion clarifying that all requirements had been met, Mrs. Taricani moved that Council approve the Fire Lane for the roller skating rink (Continental Skate Corporation) as submitted by the Fire Marshall. Mr. Bailey seconded the motion and it was carried unanimously.

8. Report on Inspection of Fire Lanes in the State College Area School District. Council was concerned that the College Township Schools as noted in the report did not have fire lanes established in accordance with the Township Ordinance. Council asked Mr. Williams to write the ~~School Boards of the Houserville, Lemont, and Panorama~~ ^{State College Area School District relative to the Houserville, Lemont,} Village Schools and inform them that Council expects they will comply with the Township Fire Lane Ordinance, sending a copy of the letter to the Fire Marshall. Subsequently, Mr. Williams is to work with the Fire Marshall to assure that proper fire lanes are established at these schools.

9. Regulation for burning in the Centre Region. Council felt that this duplicated requirements included in the Township Fire Ordinance and requested Mr. Williams to write the Fire Marshall thanking him for the copy of the regulations but indicating that burning in the Township was governed by the Township Ordinance #66 and enforced by the Code Enforcement Personnel who will work with the Fire Marshall as necessary.

10. Contribution to Lemont Village Association. To clarify this item of business, Chairman Dean indicated that under the Code for Townships of the Second Class there are two sections that address this particular situation: Section 65.760, Historical Properties, which permits Council to acquire by purchase or by gift and to repair, supervise, operate and maintain ancient landmarks and other property as historical or antiquarian in interest and to make appropriation to non-profit associations or corporations organized for the purpose of acquiring and maintaining historical properties. Such appropriations shall only be used by the association or corporation for the acquisition, restoration and maintenance of historical property. Section 65.766 permits the Council to undertake community development programs including but not limited to urban renewal, public housing, model city programs, and neighborhood development projects.

Chairman Dean read from the By-Laws of the Lemont Village Association indicating that the Lemont Village Association is a non-profit organization having charitable and historical purposes

and is recognized as such being granted a charter by the State.

Mr. Ziegler indicated that Council had in the past passed a Resolution relative to the ConRail property to preserve and protect it.

Mr. Ziegler moved that relative to that Resolution #56 which is entitled "Lease of Land from the Consolidated Rail Corporation within the Village of Lemont" dated January 2, 1979, that the College Township Council contribute \$2,000 to the Lemont Village Association to be used consistent with those purposes. This action to be taken expressively to facilitate community development and welfare and to contribute to the preservation of the historical Village of Lemont. Mr. Ziegler indicated that he used Sections 65.760 and 65.766 of the Code for Townships of the Second Class as the basis for the motion. Mr. Trotter seconded the motion. The motion was carried unanimously.

ANNOUNCEMENTS

Mr. Williams announced that riff-raff collection in the Township would begin the week of April 30. An announcement of that effect will be placed in the newspaper.

Mr. Trotter gave a brief report on the recent CRATS Meeting. He indicated that the current emphasis for the By-Pass is on staging. The first stage being to get a connection through.

Sue Smith reported that the Parks & Recreation Committee has met several times and that they are moving ahead on the improvements to the parks as presented to the Council at a meeting earlier this year.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Elwood G. Williams, Sr.
Secretary

COLLEGE TOWNSHIP
TREASURER'S REPORT
INDEX
MARCH, 1979

DESCRIPTION

REFERENCE

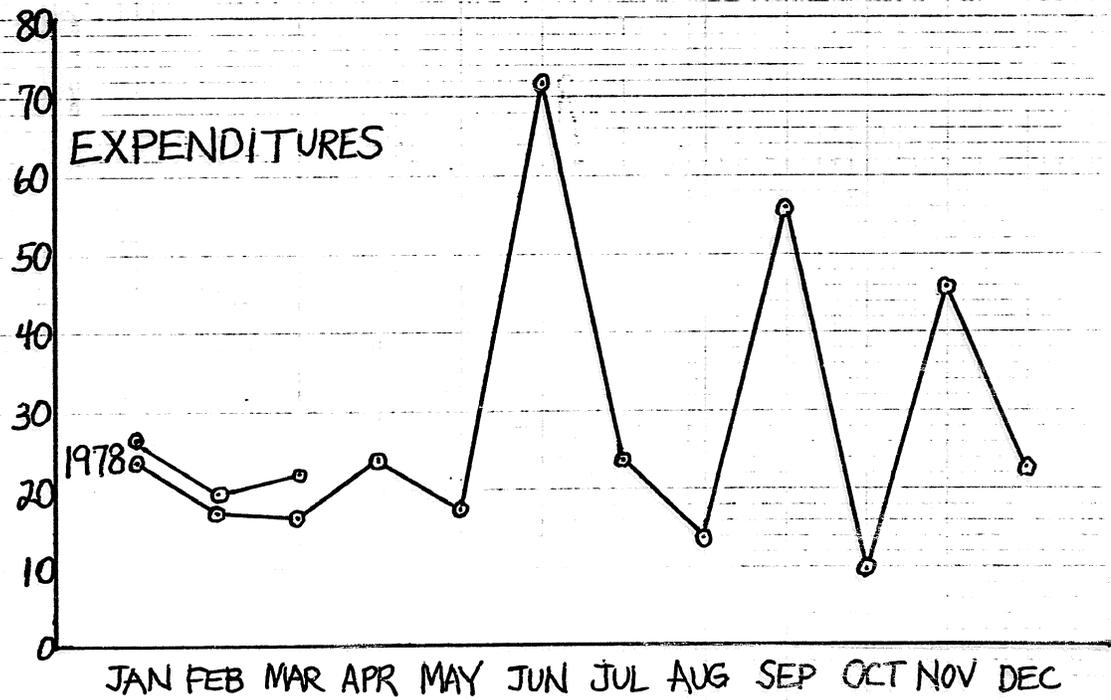
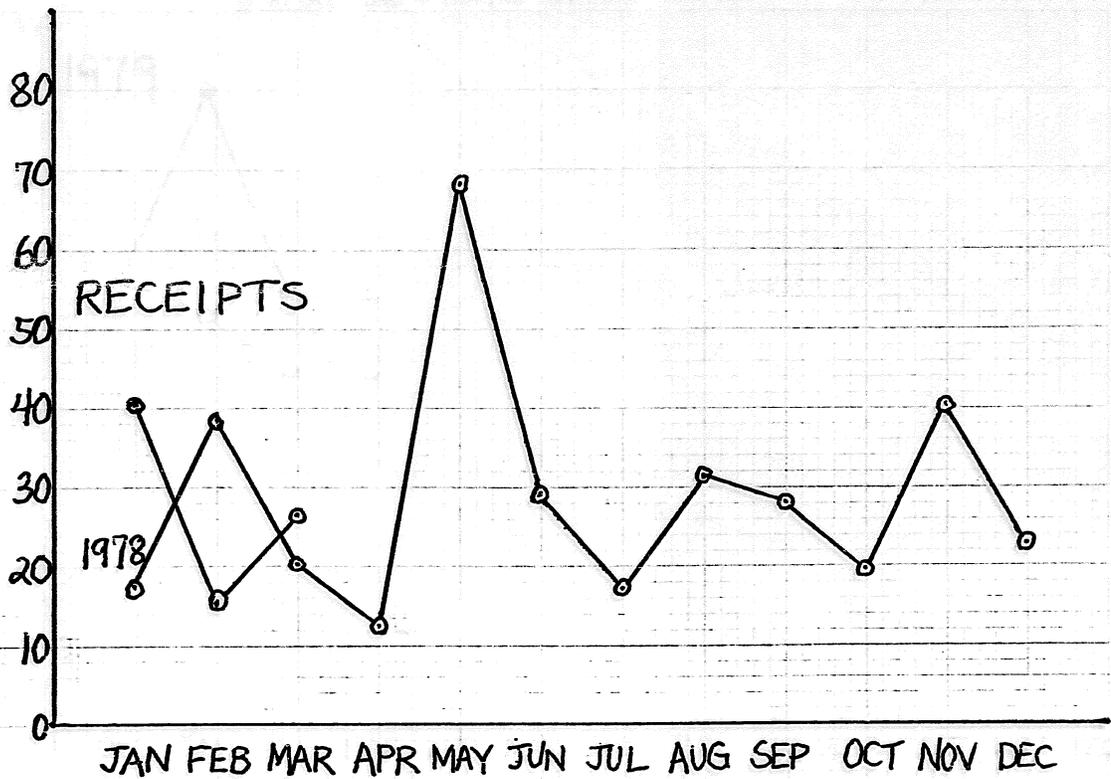
General Fund - Receipts & Expenditures	Schedule I
General Fund - Comparative Summary	Figure I
General Fund - Moving Average	Figure II
General Fund & Total Township Funds - Cash Flow 1970	Figure III
General Fund & Total Township Funds - Cash Flow 1978	Figure III - a
Township Funds - Cash & Investments	Schedule II

COLLEGE TOWNSHIP
TREASURER'S REPORT
GENERAL FUND - RECEIPTS & EXPENDITURES
MARCH, 1979

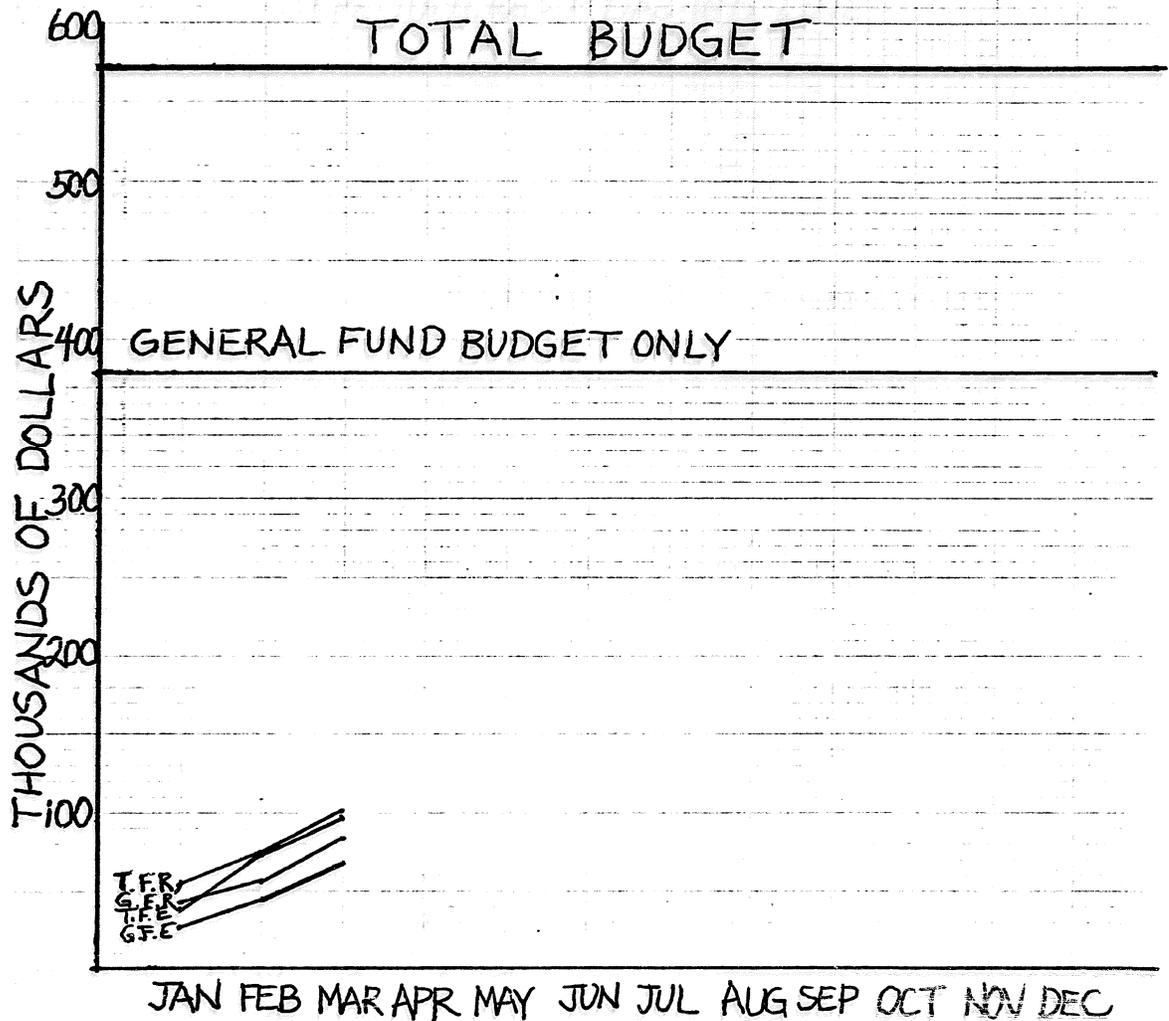
	<u>MARCH '79</u>	<u>FEBRUARY '79</u>
Check Book Balance - Beginning of the Month.....	\$ 4,165	\$ 2,328
Receipts During the Month.....	26,211	15,428
Net Transfers from Savings.....	-0-	5,800
	<hr/>	<hr/>
	\$30,376	\$23,556
Expenditures for the Month.....	\$21,980	\$19,391
Net Transfers to Savings.....	3,323	-0-
Check Book Balance - End of the Month.....	\$ 5,073	\$ 4,165

GENERAL FUND - COMPARATIVE SUMMARY - CASH FLOW - 78/79

FIGURE 1

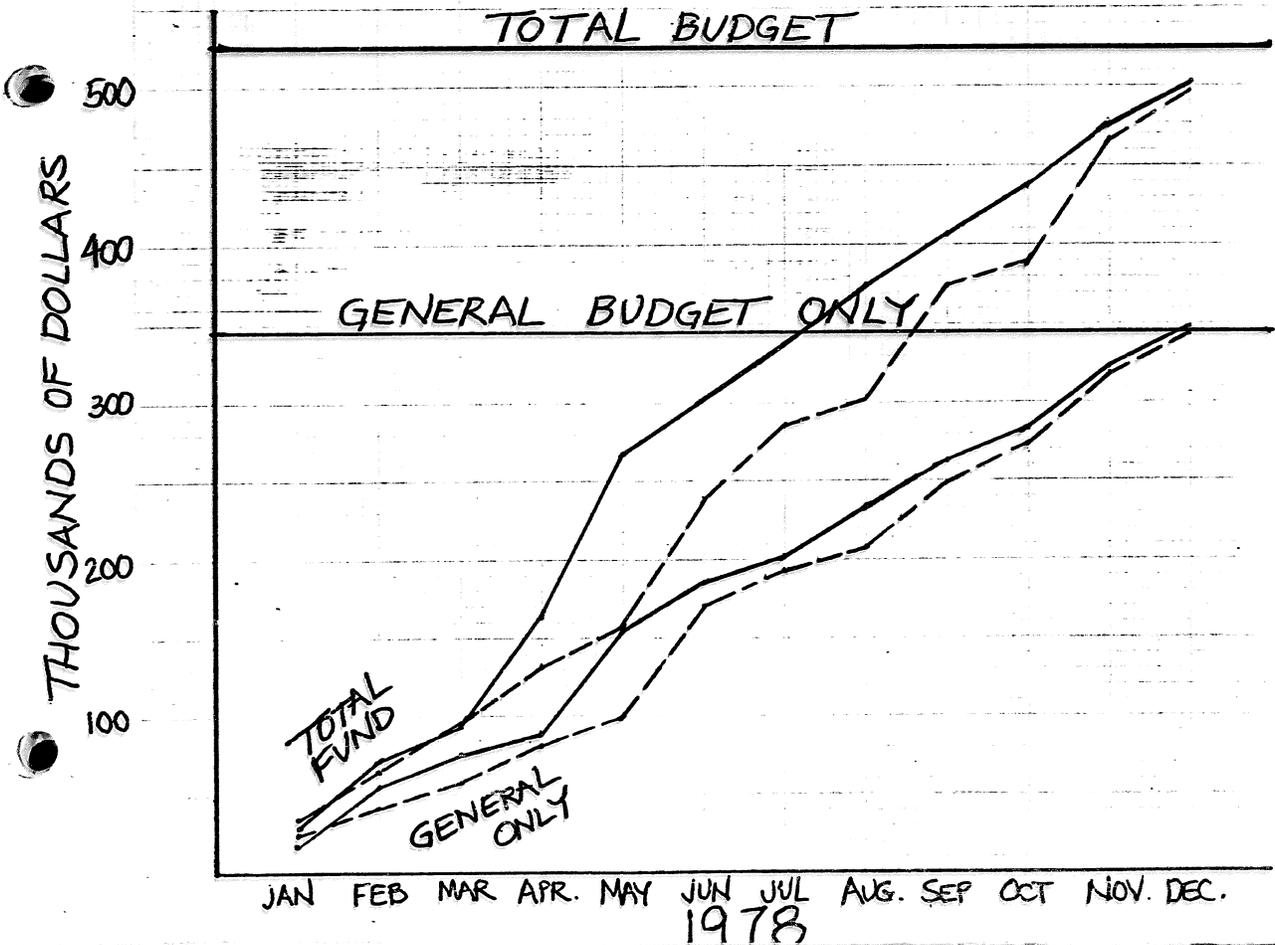


RECEIPTS : SOLID LINE _____
EXPENDITURES : DASHED LINE _____



RECEIPTS : SOLID LINE _____

EXPENDITURES : DASHED LINE _____



Schedule

REVENUE FEDERAL
RE ANT. I-RECESS.

188 \$ -0-

244 -0-

300^a

300^b

132 \$ -0-

305 \$ -0-