

SPECIAL MEETING OF  
BOARD OF SUPERVISORS  
MAY 23, 1975

The Chairman, Elwood Williams, called the Special Meeting to order at 4:15 P.M. with Mr. Trotter and Mr. Ziegler in attendance. Also present were: Charles Dubois of the Centre Daily Times and a reporter from the Pennsylvania Mirror, a Representative from the Bradco Supply Company and two Representatives from the Cambria Tractor and Equipment Company, and a Township resident.

Item No. 1 - Amendment to the Pennsylvania Sewage Facilities Act.

Since the present Ordinance covers Act 537, it must be amended to include Act 208 and its changes.

Changes made were:

Change Supervisors to Governing Body in first paragraph of Ordinance.

Section Two - Definitions - change Paragraph (c).

Section Three - Permits - change Paragraph (a). This change indicates that everyone gets a permit regardless of acreage.

Section Four - Inspections - changed.

Section Five - Adoption of the Rules & Regulations of the Commonwealth of Pennsylvania, Department of Environmental Resources, including Title 25, Chapters 71 and 73, as Amended.- changed.

Section Six - Permit Fees - changed. The Ordinance no longer contains the Fees. These will be set and changed by Resolution.

Minutes of Special Meeting  
May 23, 1975

Former Section 8 - Penalties - has been eliminated entirely.

Former Section 9 - Penalties and Severability Clause - is now  
renumbered Section 8. No changes were made  
within this Section.

It was moved by Mr. Trotter and seconded by Mr. Ziegler that Ordinance No. 25-A  
be adopted. This was supported by Mr. Williams and passed.

Item No. 2 - Pass a Resolution setting Permit Fees for On-Site  
Sewage Systems.

Mr. Williams said he and the Sewage Inspector, Jeff Roush, worked  
out the Fee Schedule which is to be passed of \$100.00 to cover all expenses.  
Mr. Trotter moved and Mr. Ziegler seconded the motion that this Resolution No. 14  
be adopted setting forth the Fee Schedule relative to Ordinance No. 25-A  
(Pennsylvania Sewage Facilities Act). Mr. Williams supported the motion and  
it was passed.

Item No. 3 - Opening of Bids for Road Roller. Two bids were received.  
One from Bradco Supply Company in the amount of \$2,394.95 and one from Cambria  
Tractor and Equipment Company in the amount of \$2,190.00. Delivery would be  
possible Saturday, May 24. It was moved by Mr. Williams that the Specifications  
be reviewed and if in order that the low bid from Cambria Tractor and Equipment  
Company be accepted. This was seconded by Mr. Trotter and supported by Mr. Ziegler.  
The Bid Bond was enclosed in the amount of \$1,097.50 which will be returned to  
the Company. It was noted that delivery will be made on Tuesday, May 27, and it  
will be paid for within a 10 day period.

Item No. 4 - Designation of Farmers National Bank & Trust Company  
as Depository for the Township's State Account.

As this matter had previously been discussed, Mr. Trotter moved that we designate the Farmers National Bank & Trust Company as Depository for the Township's State Account. Mr. Ziegler seconded this motion and Mr. Williams supported it. Passed.

Item No. 5 - Purchase of Aerial Apparatus for Alpha Fire Company.

This vehicle is currently under construction by the Mack Truck Company. It meets the standards projected for the Aerial Apparatus recommended by the Alpha Fire Company and will be ready for delivery in September, 1975. The cost of this vehicle is \$145,000. Alpha's share of this amount is \$672.00. With the share the University will contribute (\$22,000) and the funds presently set aside in the Sinking Fund Account by the Borough of State College's Revenue <sup>206</sup> ~~Sharing~~ (including Accumulated Interest) (\$54,600), the balance of \$68,400 to be funded by the participating municipalities is broken down as follows:

State College Borough	-----	\$34,739
College Township	-----	\$10,041
Ferguson Township	-----	\$12,059
Patton Township	-----	\$10,561

Mr. Ziegler moved we approve the Township's share with a \$11,000 maximum at this time for the purchase of this equipment. This motion was seconded by Mr. Trotter and supported by Mr. Williams.

The meeting adjourned at 4:30 p.m.

Respectfully submitted,

John H. Ziegler  
Secretary

LAW OFFICES  
AUSTIN O. FURST

111 E. HIGH STREET  
BELLEFONTE, PENNSYLVANIA 16823

AUSTIN O. FURST 1857-1906  
JAMES C. FURST 1906-1968  
AUSTIN O. FURST 1942

AREA CODE 814  
355-2034

February 11, 1975

College Township Supervisors  
College Township Municipal Office  
1481 East College Avenue  
State College, Pennsylvania 16801

Re: Stewart rezoning

Gentlemen:

A petition for rezoning of a 7 acre tract of Herbert W. Stewart has been filed with the College Township Supervisors. The purpose of this letter is to request a special meeting of the Supervisors to discuss this problem as we have a number of witnesses to present testimony and support of Mr. Stewart's request. We are also waiting for a joinder by Mr. Stewart's mother which has not yet been returned from her home in Florida. Our office has discussed many of these problems with your solicitor Reed McCormick, Esq. When the joinder of Mrs. Stewart has been received, I will be in touch with your solicitor to establish a special meeting night to present this matter, as I feel that this problem may occupy too much time at your regular meeting dates.

In the meantime, Mr. Stewart has assured me that the cars will be removed from the right-of-way of Summit Road and that no vehicles will be parked East of the "Ranck" line.

Yours very truly,



Austin O. Furst

AOF:sh

cc: Reed McCormick, Esq.  
Herbert W. Stewart



AUSTIN O. FURST 1857-1906  
JAMES C. FURST 1906-1968  
AUSTIN O. FURST 1942

LAW OFFICES  
AUSTIN O. FURST  
111 E. HIGH STREET  
BELLEFONTE, PENNSYLVANIA 16823

AREA CODE 614  
355-2034

February 12, 1975

Mr. Ronald K. Weis, Chairman  
College Township Planning Commission  
College Township Municipal Office  
1481 East College Avenue  
State College, Pennsylvania 16801

Re: Stewart rezoning application

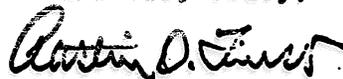
Dear Mr. Weis:

Our office represents Herbert W. Stewart and Myrtle A. Stewart his mother. Myrtle A. Stewart is the actual owner of the seven (7) acre tract which Herbert W. Stewart proposes to rezone. Herbert W. Stewart is acting as agent for his mother in this regard, but we are awaiting from her in Florida a joinder in the application for rezoning and a statement that her son, Herbert W. Stewart, is acting in her behalf and has been doing so since 1960.

The specific intent of this letter is to protect the College Township Planning Commission from the requirement of Section 703.2 requiring the Planning Commission to submit to the Supervisors a written report of proposed action, and that failure to submit such a report within sixty (60) days shall constitute an approval. On behalf of Herbert W. Stewart and Myrtle A. Stewart the requirement to submit such a report within sixty (60) days is hereby waived on behalf of these persons, and it is agreed that a hearing and report shall be submitted to the supervisors by the Planning Commission beyond this period of sixty (60) days.

As soon as the joinder is received from Florida, I will be intouch with your board to set up a date for hearing in this matter as we have a number of witnesses to present in support of Mr. Stewart's application.

Yours very truly,



Austin O. Furst

AOF:sh

**DUNAWAY, WEYANDT & MCCORMICK**

ATTORNEYS AT LAW  
201 EAST BEAVER AVENUE  
STATE COLLEGE, PA. 16801

WAYLAND F. DUNAWAY  
REED MCCORMICK  
CHARLES J. WEYANDT  
ALFRED JONES, JR.

AREA CODE 814  
237-0272

February 17, 1975

Austin J. Furst, Esquire  
111 East High Street  
Bellefonte, Pennsylvania 16823

Re: Stewart rezoning application

Dear Mr. Furst:

I am writing in response to your letter of February 12, 1975 and after the Township Planning Commission has considered your initial proposal and upon consultation with Jeffrey Roush, the Township Zoning Officer, and the Township Supervisors.

At this time, it is the position of College Township that you are not in the correct legal posture to request a rezoning application. You are apparently in violation of subdivision regulations as to some or all of the land which is the subject of your request and you have not had the joinder of the owner of same.

Further, as to the building permit recently issued, and particularly the stipulations associated therewith, it appears to the Township that your client is not abiding by the parking requirements of same and the removal of vehicles from the Township road right-of-way and there are two issues raised in this regard. First, the Township is reluctant to proceed on further applications for Mr. Stewart when he fails to meet the requirements of the last approval and second, if he does not immediately come into compliance with the building permit stipulations, the Township may revoke same.

If you desire to resubmit a rezoning application, it must obviously comply with the ordinances of the Township and, as far as I know, with the general outline of my letter of January 3, 1975, a copy of which I supplied to you. By this I mean that the Supervisors are in general agreement with the requirements I set forth therein.

Unless your application is placed in the correct legal posture and is made promptly, the Township would be within its clear legal right to press its cease and desist order, the deadline for which

Austin O. Furst, Esquire  
Page Two  
February 17, 1975

was December 31, 1974. I will leave it to the discretion of  
the Township to take action it deems appropriate in this regard.

Sincerely,



Reed McCormick

RM:nsc

cc: College Township Planning Commission  
College Township Supervisors ✓

