

**COLLEGE TOWNSHIP COUNCIL**

**MINUTES OF MEETING**

**HELD ON OCTOBER 12, 1978**

The regular meeting of the College Township Council was called to order by Chairman John H. Ziegler at 7:30 p.m. on October 12, 1978, at the Municipal Building, 1481 East College Avenue, State College, PA.

**Members present:** John H. Ziegler, Clarence E. Trotter, Donald E. Bailey, J. Carroll Dean, Dolores Taricani arrived at 7:55 and left at 10:15 p.m.

**Members Absent:** None

**Also Present:** Manager Elwood G. Williams, Sr.; Treasurer Robert L. Hayden; David Sweetland representing the Garver Subdivision; Stan Hoy representing the Kissinger property; Dave Allison, Executive Secretary of C-HJA; Paul Freeman regarding sewer service to his property; Theresa Kerchner, Tom Juengst and Pat Vernon regarding the Boalsburg Hike-Bikeway; Gale and Mary Witmer, Ron Evans, Chris Exarchos, Mrs. George Beatty, Mr. & Mrs. Harold White, Mrs. Kenneth Mayes, Mrs. Elvira Meyer and a number of other Township Residents present to give support for a centrally located Lemont Post Office.

**MINUTES OF THE PREVIOUS MEETING**

Correction to the minutes of September 14, 1978 Regular Meeting was as follows:

Page 4, Item 5 - Trotter's name capitalized.

Dean moved the minutes of the Regular Meeting held September 14, 1978 be approved with the correction indicated. Taricani seconded the motion which was unanimously carried.

**UPDATE INFORMATION**

\* The Manager drew Council's attention to a letter from Ralph Moyer, Business Administrator of the State College Area School District dated September 13, 1978. At a recent meeting, the Board of Directors reviewed

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the Township's request for an increase of 20 cents per parcel to collect the real estate taxes for the School District. The Board has decided not to make any change in the compensation rates. Manager's opinion: rates should be negotiated in the next agreement between the School and the Township.

\* The Manager reported that the Township has received the specifications and engineering drawings from Stan Hoy, Township Engineer, for Spring Lea Drive. The project has been advertised for bids to be opened on October 23, 1978 at 7:30 p.m.

\* Regarding the P.U.C. decision on the railroad crossing on Whitehill Street; Mr. Blasko told the Manager that he has checked with the lawyer who heard the case. The lawyer has reported to the P.U.C. Board and is waiting on their approval.

\* In answer to a question from Trotter, the Manager reported that the contract has been signed for snow plowing of State roads and that the Township's liability does cover the Township workmen who will be assigned to the roads.

TREASURER'S REPORT

Robert Hayden clarified the Treasurer's Report which was then accepted by Council.

CORRESPONDENCE

(1) Letter to Ziegler from Paul Silver, Chairman of the Board of Supervisors of Buckingham Township dated September 28, 1978 RE: the Curative Amendment recently passed by the Senate. (Bill 1008).

(2) Letter to Ziegler to do with Revenue Sharing funds being audited, from Kenneth Greider, Executive Director of PSATS, dated September 29, 1978.

(3) Letter to Ziegler from Donald R. Sunday, Director of the Centre County Library and Historical Museum dated September 27, 1978. Mr. Sunday thanked the Council for the Township's recent payment for bookmobile service.

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(4) Letter to Williams from Senator J. Doyle Conman, Jr. dated September 27, 1978 reporting on the progress of House Bill 552.

(5) Letter to Council from John D. Miller, Chairman of the Centre Regional Planning Commission dated September 11, 1978. Mr. Miller expressed disappointment in the Council action which rezoned the Thomas Witmer property for Penn Hi-Boy <sup>MOTEL</sup> ~~Restaurant~~ expansion. <sup>COUNCIL</sup> Dean felt the need to send a letter of rebuttal, ~~and indicated that the expansion along the property line was "right and reasonable".~~ DEAN WAS INSTRUCTED TO DO THIS.

(6) Letter to College Township from Tom Kurtz, General Secretary for COG dated September 22, 1978. RE: 1978's Hauler's License and Duane Wolfe. The Township Ordinance on Haulers was explained.

(7) and (8) Two letters regarding College Township and the Zamrik matter were noted: one to Mark Faulkner from Reed McCormick dated September 20, 1978, the other to Reed McCormick from Faulkner dated September 25, 1978. After reading the letters, Council saw the need to clarify their stand on the Zamrik case to Reed McCormick. Manager Williams was instructed to inform Mr. McCormick that he was to proceed with the decision made at the Council's September 14, 1978 Meeting and as was presented in Mr. McCormick's letter of September 20, 1978 (see copy attached to these minutes).

PLANS FOR APPROVAL

(1) Dave Sweetland came before Council with the Re-Subdivision of Lot #3 to 3-R (Garver Subdivision) which combines the existing Rallis property with Lot # 3 of the Garver Subdivision approved in 1977. After review and discussion, Dean moved to approve the replot showing the addition of Lot # 3 of the Garver Subdivision to the lands of Charles and Katherine Rallis as proposed on the final plan of the Garver Subdivision dated August 22, 1978 and last revised September 20, 1978. Taricani seconded the motion which was carried unanimously by Council.

(2) Stan Hoy presented Council with the 1 (one) Lot Subdivision (Gordon Kissinger). Taricani moved to approve the 1 (one) Lot Subdivision for Gordon

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D. Kissinger dated August 21, 1978. Bailey seconded the motion which was unanimously passed by Council.

(3) No one was present to explain the Plans for the Re-Subdivision of land for Miles G. Bloom and Don Howard. Taricani moved to disapprove the Final Plan of the Re-Subdivision of land for Miles G. Bloom and Don Howard because the deficiencies noted by the Planning Commission have not been corrected. Trotter seconded the motion which was unanimously passed by Council.

(4) Replot of Lot 3 (three), Dale Summit (E.F. Houser): No application was filed and no decision was received from the Zoning Hearing Board regarding this lot. No action was taken on this Plan.

(5) Re-Subdivision of Lots 21 and 22 into 1 (one) Lot (M.J. Jameson) was given conditional approval at the last Council Meeting. Once plans are checked to see if they are actually recorded, the originals will be signed by Council.

BUSINESS

(1) Tom Juengst spoke for Theresa Kerchner on the Hike-Bikeway Trail proposed from Boalsburg to State College along Route 322. Trotter mentioned that a 7-man committee from State College Borough, Harris and College Township has been appointed to study the proposal. Taricani then complimented the efforts of the Hike-Bike Committee but felt she must speak for the property owners who would be involved in the proposal. She reported that many of the owners (who are her neighbors) agree in principal to the Hike-Bikeway but are concerned about the affect it would have on their property. Some owners are in outright disagreement. (Letter from Mr. R. E. Zilly, dated October 10, 1978) Discussion that followed centered on the construction problems that would arise on both sides of the highway. In answer to a question from Township Resident Pat Vernon, Mr. Ziegler affirmed Council's ~~view of bikeways.~~ SUPPORT OF CONCEPT OF HIKE-BIKE TRAILS.

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(2) Dean reported on his amicable meeting <sup>with</sup> of the Lemont Water Company on September 20, 1978. An overview of the Company's expansion and capital improvements were discussed. Dean in turn explained the Township's water study which is meant to identify problems and assess priorities. Dean agreed with Council that he should check with the E.A.C. Chairman to co-ordinate water study efforts.

(3) Council noted a letter from Thomas J. Gentzel, Chief Clerk for the Centre County Commissioners, dated December 21, 1977. Because of late signed legislation, solicitation for bids on bonds cannot be done in 1978. Mr. Gentzel asked that Tax Collector bonds for the new term of office be purchased for one year only. This will allow the Commissioners to bid for Tax Collector bonds for the remaining three years of term.

(4) A letter to Williams from Bruce E. Speegle, P.E. of Penn-DOT dated September 25, 1978 showed that Penn-DOT surveys indicate that traffic signals are warranted at East College Avenue and Puddintown Road and East College Avenue and Porter Road. The Hubler Road intersection was not approved. Taricani voiced her concern that an accident could easily happen at this last intersection. "All we need is one human sacrifice to get a traffic light," she joked grimly. A question arose on the light for East College Avenue and Puddintown Road. Council felt no action should be taken because the intersection will eventually be closed when the bypass goes through.

(5) A letter to Bruce Speegle dated September 20, 1978 from Williams indicated Council's wish that Penn-DOT initiate a project at the intersection of Benner Pike with Route 26 that would upgrade the traffic signalization to allow controlled movement from properties adjacent to Benner Pike. Also, existing commercial use accesses to Benner Pike lying between Gerald Street and the "Y" intersection would be closed with a four foot wide raised barrier. College Township has agreed to sponsor the project with an understanding that the 30% local share would be contributed to College Township by Pat Houser. A meeting is scheduled, October 13, 1978, at the Municipal Building between Penn-DOT, Mr. Houser and the Manager and the Regional Planning Commission to discuss expenditures involved and to see whether Mr. Houser is still interested in sponsoring the project. A previous meeting held September 13, 1978 was

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summarized in a letter to Williams from Charles Walls, P.E. dated September 14, 1978.

(6) Dave Allison was present to discuss the costs and problems inherent in the sewer service for the Paul Freeman property along East College Avenue. (RE: letters from Allison to Council, October 3, 1978 and to Mr. Thomas Lalley, October 3, 1978). Since most of the cost (60 to 70%) would be in crossing Spring Creek, Mr. Allison wished to sewer Mr. Lalley's property as well. The owner, however, is adamantly opposed. (Letter from Lalley to Authority dated October 9, 1978). Mr. Freeman indicated his willingness to shoulder the larger portion of the sewer cost if Mr. Lalley agreed.

Discussion followed on the possibility of extending the service line to Spring Hill, Green Acres and Clover Highlands in addition to the Freeman and Lalley property. It was the unanimous concensus of Council that such a decision should be within the jurisdiction of the Authority. In regards to Mr. Freeman's wish to share sewer costs, Trotter voiced Council's views when he said, "I will not be a party to a resolution that would insist on Mr. Lalley's compliance". Only a court of law, Taricani explained, can decide if a property owner may or may not agree with the authority's recommendations.

(7) Trick or Treat Night has been set for October 31, 1978 between 6 - 9 p.m.

(8) With the passing of Resolution 51, reflectors along Orchard Road will be installed at no expense to the Township. Taricani moved to pass Resolution 51 relative to the Delineation Demonstration Program under the Federal Aid Highway Act of 1976. Dean seconded the motion which was unanimously carried by Council.

(9) Salt bids were open:

- |                             |             |
|-----------------------------|-------------|
| (1) Cargill - unable to bid |             |
| (2) Morton Salt Co.         | \$26.20/ton |
| (3) International Salt Co.  | 25.70/ton   |

In open discussion, Dean reported that Keystone COG will open joint purchasing bids within a few days, costs might be lower. The concensus of Council: official action will be taken October 23, 1978 after COG salt bids are noted.

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(10) Gale and Mary Witmer, Ron Evans, Chris Exarchos, Mrs. George Beatty, Mr. & Mrs. Harold White, Mrs. Kenneth Mayes, Mrs. Elvira Meyer and a number of other Township residents spoke out in support of establishing a centrally located post office in Lemont. Council was in complete accord with the audience as it reported on the range and depth of official Township ~~attempted~~ effort to achieve the community centered service. Contracts with Con-Rail, the postal service and elected representatives were noted — though the latter path has been blocked by legislation. (Representatives are restrained by law and can no longer indicate constituent concern to the postal service). Both residents and council felt that they had had inadequate say in the postal service's decision that awarded a contract to Witmer Construction Company for the land and building on Elmwood Street.

The possibility of a court injunction against construction of the building was discussed. Trotter moved that the Council consult the Solicitor and pursue the legality of obtaining an injunction against the construction of the new post office on Elmwood Street, adjacent to Yingling's Veterinary Hospital. Dean seconded the motion which was carried by the four Council members present. (Taricani had left shortly before the motion was made).

Charles DuBois was asked to publish the names of the Board of Governors of the U. S. Postal Service so that Township residents could express their concern by letter.

Manager Williams reported that Mr. Creighton, Philip Myers and a third postal representative would meet with Township officials Monday to discuss the postal situation — the open meeting will be held October 16, 1978 at the Municipal Building at 1:00 p.m.

(11) In regards to the reassessment of Memorial Park: Dean moved that the Council approve the discount tax payment of Memorial Park without the penalty, contingent on the approval of both the county and the school board. Bailey seconded the motion which was unanimously carried by the four Council members present.

The meeting adjourned at 10:40 p.m.

Respectfully submitted,

Elwood G. Williams, Sr.  
Secretary

**DUNAWAY, WEYANDT, McCORMICK & JONES**

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  
297-6272

September 20, 1978

Re: McCormick Inquire  
Mark R. Faulkner, Esquire  
McQuaide, Blasko & Brown, Inc.  
811 University Drive  
State College, PA 16801

Re: College Township and Zamrik matter  
Dear Reed:

Dear Mark:

With respect to your letter of 9/14/78.  
After consideration of your proposal at its meeting last Thursday evening, the College Township Council is prepared to offer that if you remove the canopy within 5 days (not including Sunday) of the date of this letter, and you prepare a Petition to the Court to allow this as complete and final settlement of the issues which we are litigating between these parties, I am authorized by Council to appear before the Court with you to finalize the matter in this fashion.

In the event the canopy is not totally removed from its base within 5 days of the date of this letter, then I am instructed to proceed to have the Court carry out its Order dated June 6, 1978, relating to the removal of the rear of the building.

Sincerely,



Reed McCormick

RM:nsc

cc: Elwood G. Williams, Sr.

COLLEGE TOWNSHIP

TREASURER'S REPORT

INDEX

SEPTEMBER, 1978

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

Figure III

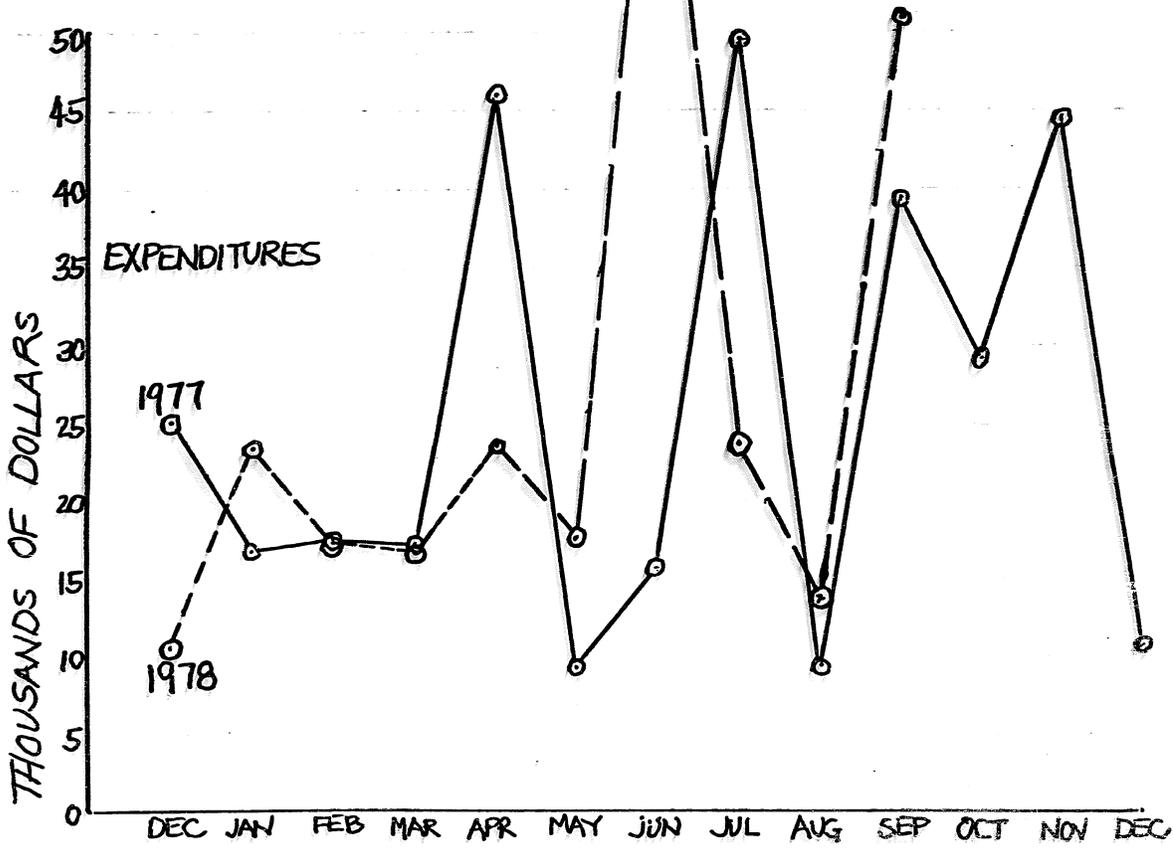
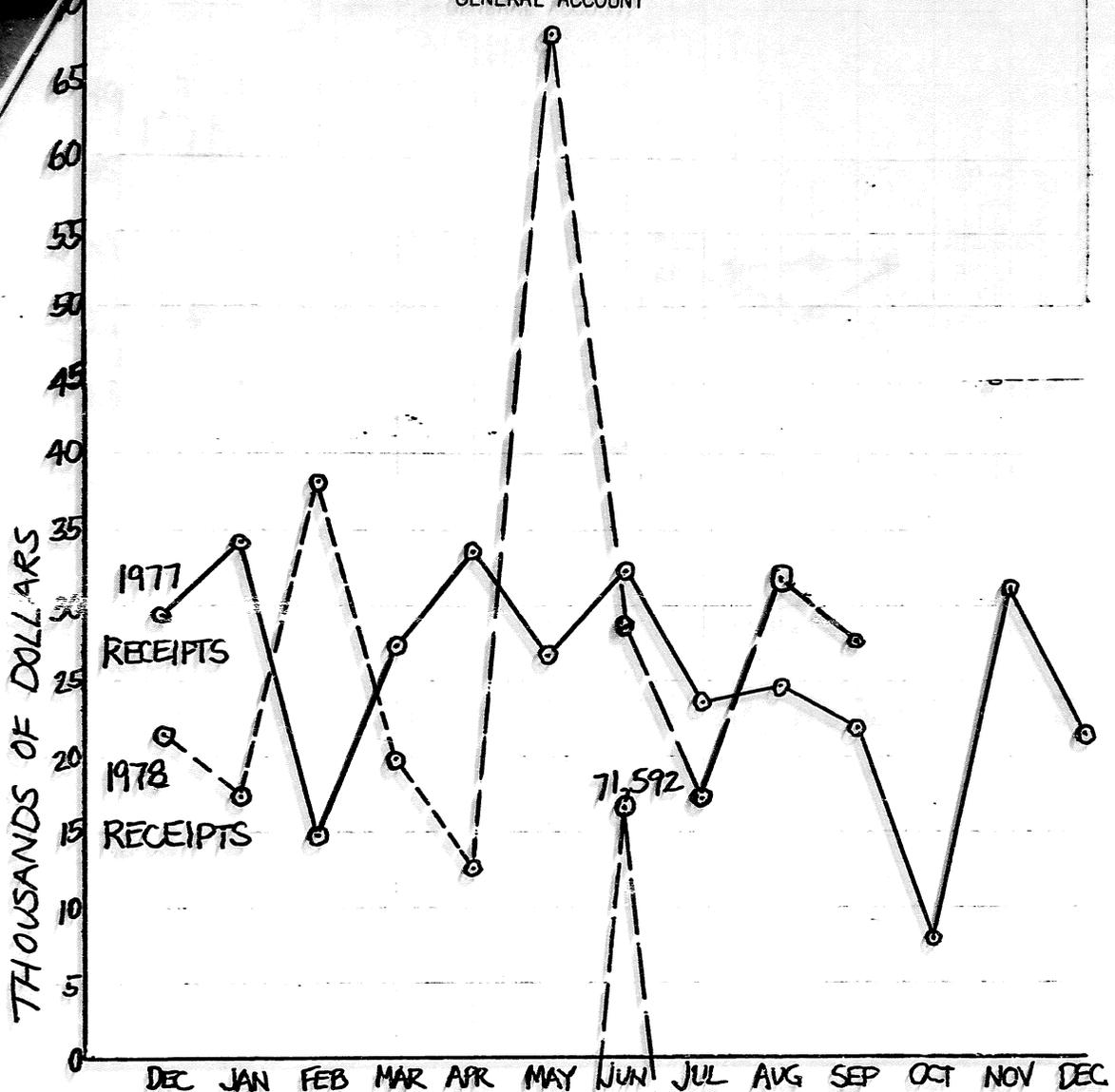
Township Funds - Cash & Investments

Schedule II

## Schedule I

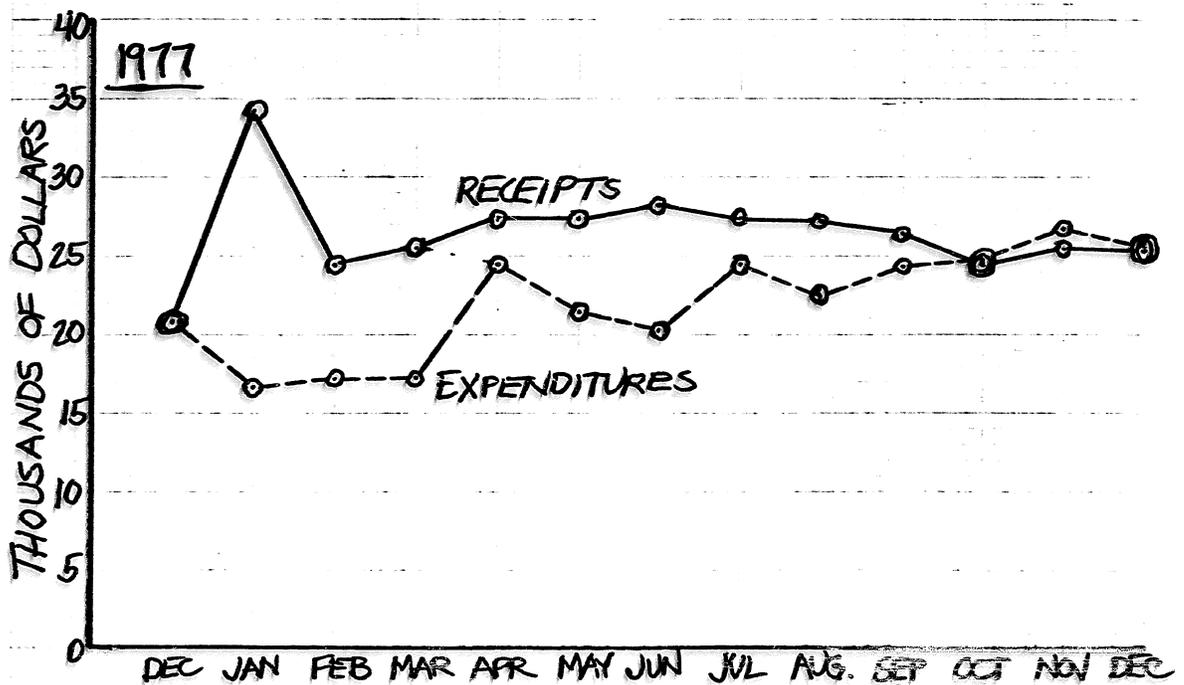
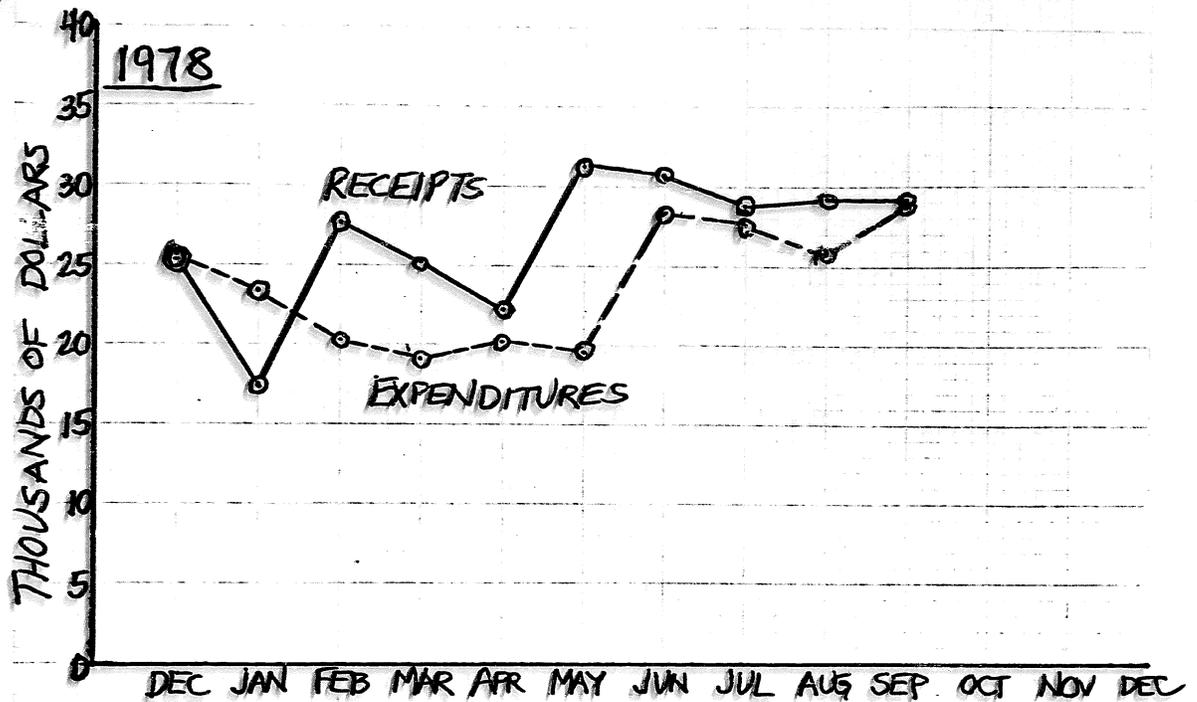
COLLEGE TOWNSHIPTREASURER'S REPORTGENERAL FUND - RECEIPTS & EXPENDITURESSEPTEMBER, 1978

	<u>September '78</u>	<u>August '78</u>
Check Book Balance - Beginning of the Month.....	\$ 548	\$ 1,726
Receipts During the Month.....	27,679	31,569
Net Transfers from Savings.....	28,100	-0-
	<hr/>	<hr/>
	\$56,327	\$33,295
Expenditures for the Month.....	50,988	13,947
Net Transfers to Savings.....	-0-	18,800
Transfers to other Funds - State Fund.....	5,000	-0-
	<hr/>	<hr/>
Check Book Balance - End of the Month.....	\$ 339	\$ 548



COLLEGE TOWNSHIP MOVING AVERAGE - 77/78  
GENERAL ACCOUNT

FIGURE 11



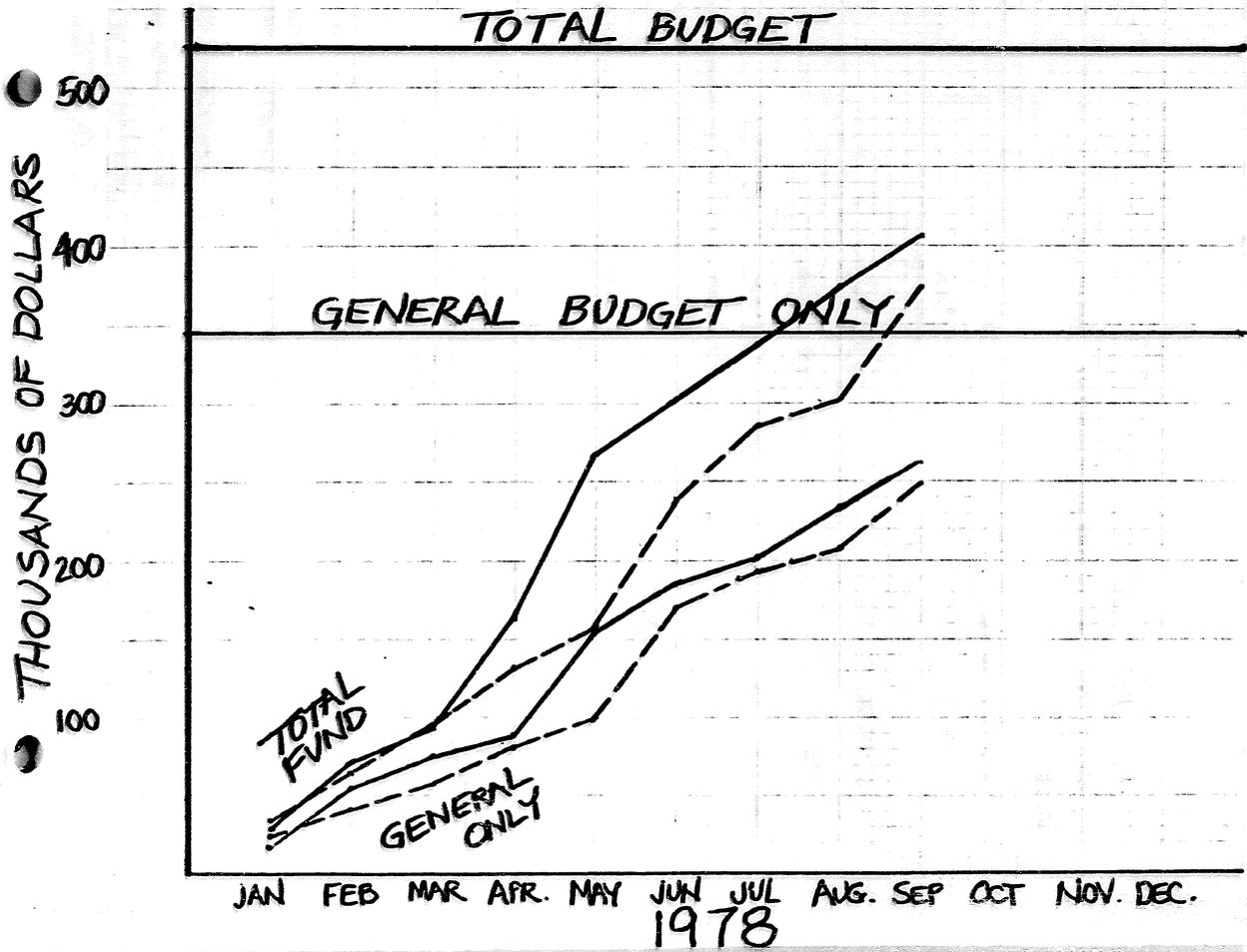
COLLEGE TOWNSHIP CASH FLOW

Figure III

GENERAL ACCOUNT

RECEIPTS : SOLID LINE \_\_\_\_\_

EXPENDITURES : DASHED LINE \_\_\_\_\_



**COLLEGE TOWNSHIP**  
**TREASURER'S REPORT**  
**CASH & INVESTMENTS**  
**SEPTEMBER, 1978**

	GENERAL	EQUIPMENT	PARKS & REC.	STREET LIGHT	STATE	REVENUE SHARE	FEDERAL ANTI-RECESS.
CASH:	\$ 341	\$ 381	\$ 102	\$ 94	\$ 143	\$ 102	\$ 9
Checking Account							
INVESTED:	16,397	12,680	5,803	4,931	92	21,256	1,303
Daily Interest - 5% Annual							
90 Day Certificate - 5.5% Annual	-0-	-0-	-0-	-0-	10,000 <sup>a</sup>	10,000 <sup>a</sup>	-0-
					10,000 <sup>a</sup>	10,000 <sup>a</sup>	
<b>TOTAL FUND SEPTEMBER, 1978</b>	<b>\$ 16,738</b>	<b>\$ 13,061</b>	<b>\$ 5,905</b>	<b>\$ 5,025</b>	<b>\$ 20,235</b>	<b>\$ 41,358</b>	<b>\$ 1,312</b>
<b>PREVIOUS MONTH</b>	<b>\$44,554</b>	<b>\$12,660</b>	<b>\$ 7,069</b>	<b>\$ 5,402</b>	<b>\$22,674</b>	<b>\$45,529</b>	<b>\$ 1,299</b>
CASH	\$ 1,172						
INVESTED	\$102,462						
<b>TOTAL</b>	<b>\$103,634</b>						
<b>PREVIOUS MONTH</b>	<b>\$139,187</b>						

**NOTES:**  
 Maturity dates of certificates of deposits:  
 a) October, 1978