

MINUTES OF REGULAR COUNCIL MEETING

HELD AUGUST 10, 1976

7:30 P.M.

*minutes are
being rewritten by
J. Carroll Dean
as per mtg 9/14/76*

The regular scheduled meeting of Council was called to order by Chairman John Ziegler. Members present were Ziegler, Trotter, Dean and Bailey. Absent was Mrs. Taricani. Also present were Manager Elwood Williams and Treasurer Robert Frederick.

MINUTES

The minutes of Council Meeting held May 25 were reviewed. Mr. Dean moved that the minutes of the meeting held May 25 be approved as received. Mr. Trotter seconded this motion and it was unanimously carried by members present.

The minutes of Council Meeting held July 13, 1976 were reviewed. The following corrections were made:

Page 8, Line 5 - change word "tie" to "tide".

Page 9, Line 29 (last line on page) - change word "revert" to "divert".

Page 10, 1st paragraph - Mr. Dean wanted clarification on this. He stated he was under the impression from Mr. Ziegler's letter that the Committee was appointed to set up guidelines for the Park & Recreation Committee, to establish a more efficient working relationship between the Park Committee and Council. The committee was not appointed to look into the Tot Lot Park situation as indicated in the minutes.

Mr. Ziegler stated the Committee including Councilmen Bailey and Dean was not appointed to look into the Tot Lot Park situation but to establish guidelines for the College Township Park and Recreation Committee. Permission, verbal, had been given to

Committee member Sue Smith that night to inform the Park & Recreation Committee to go ahead with the canvassing of the people in the neighborhood.

Mr. Dean moved that the Minutes of the July 13, 1976 regular meeting be approved as corrected. This was seconded by Mr. Trotter and was unanimously carried by members present.

TREASURER'S REPORT

Mr. Frederick gave quite a lengthy report, including a tax collecting report, a copy of which is made a part of the minutes.

Mr. Trotter moved that Council accept the Treasurer's Report. This was seconded by Mr. Dean and was unanimously carried by members present.

CORRESPONDENCE

A letter from Robert Ayer, Centre Region Parks & Recreation Director, to Elwood Williams regarding Project #500 for recreation purposes. He stated he had been informed the Department of Community Affairs will accept "letters of intent" for projects until October 1976. Because some communities did not apply for grants there is some money available but on a limited basis for projects that fall in the following categories: acquisition, inter-governmental, bikeway and handicap projects. If his assistance or advice is needed, he will be glad to help in making out the letters of intent. The amount of grant, in most cases, would be a matching one of 50%. A discussion was held and the possibility of purchasing parkland in Harris Acres was suggested.

It was moved by Mr. Dean that this letter be turned over to the Parks & Recreation Department for possible joint park project

with Harris Township. This was seconded by Mr. Trotter and was unanimously carried by members present.

Letter received from Clare Becker was read in which he asked that the sign "Village of Lemont" "from the French 'The Mount'" be replaced. It had been placed just below the intersection of Elm Street and Elmwood Street and was destroyed by an auto accident. It is not known what happened to the sign which was blue and yellow in color. A similar one was located at the Jared Grove residence in lower Lemont. It is not known where that sign is either. Mr. Williams and Mr. Marvin Lee will look into this and the letter will be put in the come-up file for October. *

L. Robert Kimball & Associates. The Public Works Employment Act of 1976, recently passed by Legislature and vetoed by President Ford, is an important piece of legislation in many respects. The bill provides 100 percent grants to State and Local Governments for local Public Works Projects that can be started within 90 days of the time the money is granted. Among the many eligible projects are streets and water lines. A provision of the bill insists that Federal Agencies must act on applications for assistance within 2 months. If a project does meet Federal approval, it must then be initiated within a 90 day period. This will help to alleviate unemployment problems in project areas and special consideration will be given to those projects located in high unemployment areas. They are experienced in filing applications of this kind and are offering their services if Council desires to apply for a grant. It was felt by Council that since it was vetoed twice before and the vote was very close, no action ^{he} ~~was~~ taken on this. The members felt the Pennsylvania State Association would keep the Townships

informed of the outcome of this bill.

A letter from Reed McCormick, enclosing a copy of a letter from Dick Campbell to the Zoning Hearing Board asking that a hearing be set to determine what is to be done about the advertising sign near Carpet Castle which had been reduced in size and were requested by the Zoning Officer to have it removed. According to a note at the bottom of Mr. Campbell's letter, the Board was to delay in setting a date for the hearing pending action by the Advertising Company and himself to resolve this problem. Nothing further was heard or received from Mr. Campbell on this matter. The letter was dated in 1974 and Mr. Campbell never came back to renew his request for a hearing. Mr. McCormick will be informed of this fact and Council will refer the letter to the Zoning Hearing Board for clarification.

BUSINESS

(1) Drainage Evaluation - Harris Acres (West Outer Drive and Outer Drive Eyebrow). Mr. Stan Hoy, Township Engineer, and Mr. Rollin V. Clark, Exec. Asst. of the Centre County Conservation District, had made a tour of the problem area on July 12, 1976. After that trip, Mr. Clark and Woody Meyer went out again on July 14 and talked with Mrs. Eugene Pearce and ran some levels in her backyard. As a result of discussions with Mr. Hoy, Mrs. Pearce, and Mr. Meyer, Mr. Clark submitted the report setting forth the observations and possible solutions. This report was given to each member of Council for review and study. A discussion was held with the result that it was suggested the Township purchase land to be used as a pond or park to help solve the water

drainage problem. It was suggested this program might be coordinated with Harris Township since it affects some of their residents also.

It was asked that Mr. Williams and Stan Hoy pursue with Joseph Meyer the matter of land acquisition. In the meantime, Parks and Recreation Board be asked to look into the possibility of park development.

(2) Parks & Recreation Subcommittee Report. Mr. Lloyd Niemann, Chairman of the Subcommittee, submitted a report to Council. Sue Smith said she neglected to include in the minutes that they had also discussed Ordinance No. 42 which needs clarification in light of what they are doing. Also, that Donald Bailey's name be added to the list of members of the Subcommittee who worked on the draft. Mr. Dean gave Council some background information. There is nothing in the guidelines denoting authority. It is all advisory. This whole thing came about as a result of Mr. Niemann's request of what the duties and responsibilities were of the Parks and Recreation Committee.

In discussion, Mr. Ziegler said item (f) gave him a little bit of a problem - the mechanics. Mr. Dean said they did not see it as fitting into the sequence of approval of funds. Just to recommend where changes or improvements could be made. Reference was made to items (i) and (j).

Mr. Trotter moved that Council adopt these guidelines and procedures for the College Township Parks and Recreation Committee. Mr. Dean seconded this motion and it was unanimously carried by the members present.

A follow-up to inform Mr. Niemann of Council's action will

be made.

A discussion was held on the work done on the tennis court resurfacing at the Spring Creek Park. It was felt an unsatisfactory job was done by the D. E. Smith Company.

(3) John Cook - P.S.U. Art Department re Proposed Sculpture for Slab Cabin Park. Mr. Cook felt Slab Cabin Park was a very nice park. He wanted to get Council's feelings of putting some sculpture in the park, similar to an English garden. This would not be a class project. Mr. Cook is a sculptor and would like to work something around the very peaceful atmosphere, with maybe a few flower beds, etc., scattered around.

Mr. Trotter asked if this would have a long range maintenance implication as far as Council is concerned? Would it take intricate mowing along the paths? Would this be a naturalistic setting, etc.? Mr. Cook said this was something that could be worked out with the Landscape Architecture Class, and of which they would be very aware of.

A discussion was held on the park boundary lines. The question of vandalism arose. Mr. Cook stated the sculpture would be made of a durable material.

Mr. Trotter stated it was hard to react to something that cannot be seen. Council expressed support of the idea. Mr. Ziegler felt the concept was good. Mr. Cook is to contact Mr. Niemann, Chairman of the Parks and Recreation Committee for College Township, submitting this idea to them for their feelings and suggestions on this kind of project.

(4) Code Enforcement Program Evaluation. Mr. Donald Bailey is the Representative to this Committee. He gave a report on the Code Enforcement Committee meeting held July 16. He said a discussion was held because they didn't know what direction COG wanted them to go. It was mentioned that at one time they did have an agreement between the municipalities, and maybe this is the thing to have again - an agreement for a five-year period where the municipalities decide what they want from COG so there would be a little longer range and our investments be utilized rather than something to fall by the wayside. Just to have it for a year, they felt it might not work out. So they would like to have an answer from each municipality regarding the following questions:

(1) Are the member municipalities of COG, in principal, willing to support a regional code enforcement program?

(2) Do the participating municipalities wish to commit themselves for a specific period of time, such as three or five years, or is the present open-ended agreement preferred?

(3) What services do the participating municipalities expect from the program and at what level or frequency shall such services be provided?

The Chairman of the Centre Regional Code Enforcement Committee presented a proposal to COG several months ago and nothing was ever said except for the comments received from Mr. Williams, who had written some up for our area with the issue that they hire an administrator other than the Borough Manager for Code Enforcement.

What are the priorities? Do we really want to support it with more money and have a better code enforcement than we have or do we want to go on it by ourselves? This is where it really lies right now.

Mr. Dean felt it would take a lot of compromise. College Township's priorities would be different from the other municipalities participating in the code enforcement program.

Mr. Ziegler indicated the program was originally sold on the basis that it would start with some government help but after about three years, it would be self-supporting. He felt it should be self-supporting and wanted to go on record as such.

Mr. Williams said the program itself was self-supporting until last year.

It was felt things had been added by the Borough, such as beer joint inspections, etc., without the agreement of Centre Region, thus taking a man from this program to do that work. It was mentioned the Code Enforcement men had helped to draw up the Ordinances which is not part of their job.

Mr. Bailey mentioned that the suggestion was made they hire a fire code enforcement manager or fire marshall.

There are approximately 1500 housing establishments for fire inspections and at approximately \$5 or \$10 each, that should be self-supporting. The problem there is they do not get around to all the places in a period of less than three years. Some places have never been inspected at all.

Mr. Ziegler said this review came about because of the Townships being displeased with the service. Now, if you were displeased with the service, why would you commit yourself to five

years more of the same thing?

Mr. Dean felt they should participate on a 5 year service provided the service measures up to expectation.

Mr. Trotter felt they couldn't go out and hire desirable personnel to do this work and tell him or her that they could only assure them of one year's work, even for five years.

Mr. Ziegler indicated no one had pulled out of the program but when you get right down to it after you've been in it for a while and look at all the code books and everything and think about going into it on your own, you really build up more support for the regional program.

Mr. Bailey said they felt it would be better to have a separate code enforcement manager and have him report directly to COG. Mr. Fairbanks didn't seem to think this would work. It was stated that Parks & Recreation Department does this and it's working.

Mr. Dean said that, in effect, it is a policing agency and it is a free agency. Each of those report to a board which is made up of people of the areas they represent.

Mr. Bailey asked what do you need in code enforcement? For instance, College Township doesn't need bar occupancy inspectors.

Mr. Ziegler stated that if you had a group and you had a board made up of elected members or citizens appointed by the various townships or borough and you had priority relevant to developing housing and building codes, etc., then this would be submitted to this board and they would have to say, OK, look, this can't be covered. What you will have to do is hire someone

to conduct this study and you will have to pay for it.

Mr. Dean felt there was another way. Let's say you have so many manhours a year for public code enforcement, say about 10,000 for five people. That 10,000 would have to be pro-rated out to each municipality on the basis of their budgetary contribution. So, that says then that our portion comes out to be this particular number - 2500 hours a year - that we get for code enforcement. That 2500 hours should be distributed to our appointed priorities. If it is in the Borough, and is 3500 manhours for them, these should be distributed according to their priorities. If they want to come up with 15 items and we have only 3, that is the Borough's problem. They can't get all their stuff attended to for the amount they are contributing. That is the alternate to what Mr. Ziegler suggested.

Mr. Bailey mentioned that in the second section of the Code Enforcement statistics report which was worked out, the Borough has 6,987 housing units and the percentage of the units is 76.4% and College Township has 273 housing units for 3.0%. Then when you get down to the next section, number of housing inspections, the Borough has 2,135 and 67.7% and College Township has 374 inspections or a percentage of 11.9% and percentage of inspections to total units is 137.0%.

Mr. Dean said that doesn't make sense. The number of inspections exceeded the number of housing units. It was explained that this could happen. There could be several inspections of one house. Some guys in the Borough get 2 and 3 inspections in a year while others get one every other year.

It was asked what they considered housing units - was it

rental housing? The answer was yes.

Mr. Ziegler said the beauty of the regional program as far as code is concerned is there is a certain amount of flexibility because one year College Township may freeze their business, Patton Township develops townhouses and something like this, and as long as the revenue to support this program is based on the housing units and building units and things that are being serviced, this didn't matter but when you start kicking in on the basis of assessed valuation, population and chipping according to the State College services, maybe you get into another ball game.

How are you going to say, "OK, we have these big buildings going up in Patton Township. We can't go out there anymore. They have already received their 13% of our time." Who is going to take over?

Mr. Bailey said he admitted they were going mostly on complaints and there were more in certain areas; for instance, in the Laurel Glen area than other places.

In reply to Mr. Ziegler's question, Mr. Dean said if this is required, they would have to provide it but when it comes the new budget time, they would have to come up with the wherewithall that they are asking for. If you get a big new complex in College Township so that we now require more inspections than we used to, we will have to adjust our budget contributions the same way. We may not do it in advance, but always have to do it at the next budget time after they exist.

Mr. Ziegler said this is the way we have been doing it. They charge fees which they hope will break even at the end of the year but if they don't, then the Townships are committed

to make up the deficit.

Mr. Dean said this was probably the only way they could do it, still his idea was to separate out our priorities from the Borough's.

Mr. Ziegler felt some of these were not that much different. Basically, he thought they have the same kinds of problems that we have with buildings and housing. Maybe the program should consider those things first. Then, if the Borough has the bar situation that would have to be taken care of by the Borough in a different light. In a case of this type, they could hire consultants to go in and conduct a study then make a report. In his own mind that is what they should have done. Also the same thing with the lock situation. On the other hand, they might run into a year when these guys aren't busy - they aren't doing anything. So if they want to do something about bar occupancy, they could come to this code enforcement committee with their problems. The committee would then say, ok, my men can do it within the next month, then you can make up the deficit some how or other.

Mr. Dean asked Mr. Ziegler if he thought there should be a supervisory committee same as there is for planning and the library and the parks? Mr. Ziegler said definitely. He also said he thought we could arrange for some very definite top priorities that are common to all Centre Region, that would have to deal with buildings and housing and things like that first.

Mr. Bailey said that one thing that was mentioned was the flue inspection. It was asked, "Why couldn't the fire marshall take care of this kind of situation?"

Mr. Bailey said he thought what they really want was - do we want to keep an open end agreement rather than the three or five year agreement? Would you want a separate fire marshall to take care of the fire flues? Would you still want to participate in the Regional Code Enforcement Program? Do you want to go for an open-end agreement rather than a three or five year agreement? If this is the case, then it looks to me like Code Enforcement would be setting down new rules, like you wouldn't use code enforcement people for the bars, locks, etc.

Mr. Dean commented that except for anyone that the code enforcement would hire for inspections, they would want to entertain an open end agreement. They would have to put conditions on such as that the agreement is open ended but that termination must be preceded by a notice of one year because you are dealing with a complete individual's career. Even if the municipality does decide to leave the program, they would almost have to come up with someone else on their own to do it.

Mr. Dean said they could always repeal the ordinance. They are not cast in concrete. If you want to abandon the code altogether in the Township, all you have to do is repeal the ordinances.

Ron Weis, Chairman of Planning Commission, asked if the Council felt they were getting the value of the proper code enforcement programming; that the buildings are of a better quality, that there are less building problems than we had before this? Has anyone reviewed this aspect of it?

Mr. Dean said he couldn't give a specific answer to his question, but he did know that if we don't have a code enforcement of some scope - let's say building permits that are part of the code enforcement program - if we don't have building permits our subdivision regulations are going to fall by the way because nobody does a check on whether or not the property was properly divided before you go to build. This tied it in very closely. We have been trying for the last several years to get rid of illegal subdivisions and if we don't have a building permit requirement then we will find out that even if we get people straight on the building permits, we are still leaving ourselves one more loophole where people won't even have to bother legally subdividing anymore.

Mr. Ziegler said he thought he observed some building in Harris Township that, let's say, is less than desirable.

Mr. Weis wanted to point out that Laurel Glen is a building that was built under code enforcement and he doesn't know of any place that has any more problems than they have.

Mr. Ziegler said the idea was that if there hadn't been any code, Laurel Glen may have been worse than it is now. There would have been no one to ride herd on them.

Mr. Weis again asked if they, the people in code enforcement, were really giving us the dollar value?

Mr. Williams said he felt they were.

Mr. Dean said Mr. Weis was poking at Laurel Glen but not all their problems were things that had to do with code, the major problems had to do with maintenance, general management, and those aspects. In regard to building qualifications, all

the codes say is that if you use the certain minimum grades of materials, and if the contractor gets by with the minimum grade, it might even be that the least minimum quality meets the minimum grade.

Mr. Weis said that what he is suggesting is that it is a very expensive code, more than anyone realizes. The homeowners costs are more now because he already contributes to the code program not only with the College Township Zoning Permit but with the building permit obtained from the code enforcement people.

Mr. Ziegler said the Township only contributes to the program when they develop a deficit, which is very little and only one time so far.

Mr. Weis stated that the builders are also delayed as a result of having the inspection before they can proceed. It thus raises the cost of construction. He felt this was not helping this situation.

Mr. Dean made the comment that this is not an inherent fault of the code enforcement program, that is, the delay is not an inherent fault. What is really defined is that the code enforcement does not say you shall delay 15 days before inspection. It just happens that in the interim program you get delayed. Again there are no fundamentals. He said they realize there is a manpower problem.

Mr. Ziegler stated the problem is also that the builder will come in tomorrow morning and expect to start building tomorrow afternoon. This has happened time after time with builders who have been doing this all their lives.

Mr. Williams made the comment that there is also the sewer problem.

Mr. Weis said from personal experience that they have called 3 times to the code office and received no response.

Mr. Ziegler said they realize they have a manpower problem. That is one of the reasons this whole review was started.

Mr. Williams stated there are better quality houses now since the code program started. He cited an example that had occurred in the Borough of wrong materials being used by a man who didn't know any different.

Mr. Stan Hoy said that what you are getting into there is the professional builders against the fly-by-night builders which the code program protects you against.

In a conversation that Mr. Ziegler had with some people who were adding on a porch to their house, they were extremely glad for the code program because they didn't have to worry about whether it was being put up right or the grade of materials was up to requirement because the inspector was there telling them what was right or wrong.

Mr. Trotter stated he would hate to think of the kind of buildings that might be going up in College Township if we didn't have the building code; if we have a building code we have to have some method of enforcing it. No point in having it if we don't enforce it. if ^{my} economics means anything at

question No. 2, He put down yes because he thought there has to be some reasonable plan formalized to go into this kind of program. So he said yes to this kind of program if we get the kind of services that we want. He thought the right kind of approach to this was - establishing these priorities and seeing that these priorities are worked by the same setup we do with the other things; that we have a committee to see that these priorities are followed. He added, with respect to priorities, we've got existing problems that are going to be hard to take care of. His number one priority, and he hadn't gone beyond this, was re-policing new buildings. Prevention is worth a pound of cure. To get any new buildings to conform. One other aspect, but he was not too concerned about this, was that it be self-supporting. We do not know exactly how many expansions we are going to have in the next year. He hoped that there would not be that much pressure on self-maintenance that they would be out to take you. I don't think we have to worry about that at the moment with the work that needs to be done, but I think we will save money in the end if we prevent problems. He thought the key to the whole situation was establishing the priorities and having the code enforcement people report to this regional committee. He agreed that it was best the Borough Manager not be responsible for it.

Mr. Bailey asked him on the second yes, if there was a time limit they should sign up for? Mr. Trotter said he would not object to, say, signing up for five years with the proviso that we will participate if we get reasonable service on these

priorities and he thought there ought to be from each participating municipality at least one year's advance notice of termination to COG. Mr. Dean stated he had the same reaction. He was in favor of five years or the open-end as long as everybody gives a year's notice. Number 3 was something they would have to sit down and put together. A list was submitted 3 or 4 months ago they were working on and in his mind they established the priorities then. We don't have to go into them tonight but if you wish to set up a work session on it, you can. I think in answer to Tom Kurtz's memo of the three questions asked, I would say "yes" to the first two with the conditions listed earlier. On question No. 3 - what level of frequencies - that is getting into an area of expertise where we may or may not be qualified. You may say, what are your recommendations on this, to the code group.

Mr. Ziegler felt that if we had a really working manager who was on top of the situation, he would start to know whether they were falling back on the housing inspections.

Mr. Bailey felt this was one of the advantages of having a working manager and having him report to COG.

Mr. Ziegler asked Mr. Bailey if he felt he had the answers to take back to the Code Enforcement Committee. Again, we realize what kind of program it is and it would be nice if it was self-supporting but he would go along with Mr. Trotter and say, sure, we realize we may have to chip in a couple of thousand dollars to support the program. There are going to be times and years when there will be more building than anticipated and less building than anticipated. We will have to

adjust to that.

Mr. Williams said when the periods when building is down they could get caught up in their housing.

Mr. Bailey said he agreed with what has gone on here tonight and the committee will now have to come up with the priorities and costs and figures.

Mr. Dean said if priorities are set up they can concentrate on the top priorities and if there is time left over they can then work on the next one. They would never be without anything to do. You don't have any priorities if everything is number one, so these have to be set up.

Mr. Williams said he didn't think the rental units were updated for College Township and he didn't think we were getting fees for all of them. Jeff Roush had gone through them and found a lot that they didn't have. There are probably more that they have not listed yet.

Mr. Ziegler said the Zoning Officer had received a communication from Don Bachman where they came up with their recommendations and one was to hire a code enforcement manager or appoint one and recommended the hiring of an additional code enforcement officer or appoint the COG Executive Secretary as manager of the code enforcement program. Mr. Ziegler felt this would be the same as it is now, that it would not help the situation any. It was felt the ones to be separated are the building ordinances in the Borough, fire inspections, dead bolt ordinance, etec. and that COG should not be involved in this, so it could be involved in doing something else. A fourth man should be hired to give better coverage. The support

for this need is according to the total rental units.

Mr. Williams said they are one man short since Mr. Sousa left and they never hired anyone to replace him..

Mr. Ziegler said the only thing is he keeps hearing the Manager, Carl Fairbanks, say they can cover everything with that man short. But everything gets behind.

Mr. Bailey suggested it might help to hire a man for the fire inspections but that would mean additional expenses. Mr. Williams suggested raising the fees to cover this.

Mr. Weis said he is not really against the program but is not happy with the service the Township is receiving now, that we are not getting our dollar's worth. One thing that does concern him is the code itself. The Planning Commission has reviewed the Subdivision Ordinance which is a readable document. The Township has adopted the BOCA code which is the housing and plumbing codes and is a document which is 3" thick and in very fine print and we accept the amendments the BOCA people make. This is written for the whole country and includes information pertaining to highrise buildings, etc., in large cities, etc. and not this area. I think a committee like this really should be selected to examine the whole thing.

Mr. Williams replied, not really. If you will read the ordinances adopted on the Code, you will see that parts are deleted that don't apply to this area in the Centre Region. Code Enforcement has copies of our ordinances and they know the changes or amendments made.

It was stated there will never be a simple building code, someone will come along and show you a material that is far better for building than what is presently required. They would be told the next time the code is reviewed it will be considered, tested, and added to the list if it meets the requirements.

Mr. Bailey said he would go back to the committee with the answers to the questions as follows: Yes - to the first two questions and the third question - the priorities have to be established by the Committee and reviewed by Council before a decision is reached.

(5) Manager's Financial Report. This is a close follow-up but it was thought that after submitting the report in June, there were a number of large amount invoices that were paid so a second report was submitted including these and comparing this with the proposed budget figures for this period. A copy of this report is attached and made a part of these minutes.

PLANS FOR APPROVAL

A Sketch and Final Plan for Subdivision of land for Landscape II. This plan was submitted by Stan Hoy, Engineer. The Planning Commission Chairman made the following motion concerning approval of this Subdivision Plan. "Recommend that we accept this plan with the provisions that the line be altered to accommodate the 100 foot width at the setback and that the sideyard setbacks be shown -- in particular on the

sides of each of the new parcels facing the new line which is drawn. Also, that elevations at three pins north and east be indicated, and that the deed book and the lot owners be indicated to the east (which is the State College Bypass)." The plan was reviewed by Council. This property is in C-1 zone. A question was raised as to what requirements are to be used in setback where a non-conforming use, a residential building, is located in a C-1 zone. The argument was that somebody could come in if the setback line was moved up 30 feet and put in a restaurant, store, etc. and be setting up 40 feet in front of the rest of the buildings. As it states in the Ordinance, you are to follow the R-2 or R-3 Area & Bulk Regulations, which, in fact, would be using the R-2 requirements in a C-1 Zone. Mr. Weis attempted to explain to Council what they understood the ordinance to mean.

If it was done the way Mr. Hoy indicated on the plan, and the way he interpreted it, he could change the lot line and the setback that is a permitted use in a C-1 Zone with a special exception. Once that special exception use is gone, it is still zoned C-1. A discussion followed with the result that there is on-site sewer and off-site water. The house itself is non-conforming due to zoning regulations and not by action of the owner. It is a non-conforming use because it is a private individual dwelling in a C-1 zone. The structure is non-conforming in two ways - use and setback - as it sits in C-1 now. The recommendation submitted to Council by the Planning Commission was vetoed by Council.

Mr. Trotter moved that Council accept this Final Subdivision Plan for Landscape II. Mr. Dean seconded this

motion and it was unanimously carried by vote of all members present.

Final Subdivision Plan for Lewis Baylets. This plan was approved by Council on December 10, 1975 and not recorded until September 7, 1976. There is a 30 day time limit for filing the approved plans. After the plans were drawn, the Shawleys did the remainder of the work themselves, such as submitting it to the Centre County Planning Commission, having it recorded, etc. and they were not aware that there was a time limit to have the plan recorded. Mr. Dean recommended that a review by the Planning Commission be made at their next meeting to verify that no changes had been made from the time Council approved it until it was recorded. A signature block will then be required for Council to re-approve it.

Mr. Ron Weis, Chairman of Planning Commission, gave a report in response to a memorandum from Council, on the progress they were making in reviewing the Zoning and Subdivision Ordinances. He said they have been working on these. A comment they had on the Subdivision Ordinance was they felt it was not necessary to have two ways in and out for every subdivision. They said some subdivisions are very small.

Another memorandum from Council asking the Commission to look into the parking situation in Lemont was responded to by Mr. Weis. A committee was appointed by the Commission to look into this. The committee sought the advice of the Centre Region Planning Commission and prepared the map which

was submitted to Council, drawn by a Landscape Architect who works for Centre Region. This was discussed. Four sources that generate on-street parking are the Lemont Post Office, the 3 businesses, and also the residents. It was felt that sometime the Post Office may be moved to a new location down the street which would eliminate the parking problem there.

(1) Parallel parking on Mary Street, (2) open up Cherry Alley along Spring Creek which would provide off-street parking behind the Art Alliance Building, (3) improve the Mt. Nittany side of Pike Street for parallel parking, (4) eliminate perpendicular parking on Pike Street in front of the businesses, substitute safer parallel parking, (5) suggest to residents that they park off Pike Street behind their homes, (6) acquire land between the railroad station and the old grain building for parking, (7) acquire land along Harris Alley for additional parking, (8) provide street lights, if necessary, for proposed parking areas.

The following recommendations were made considering each of the above. For item 1 - parallel parking on Mary Street was agreed upon as a valid approach provided the right-of-way was wide enough to assure sufficient parking space on both sides of the street. Item 2 - this was rejected because of the expenses which would be incurred. Item 3 - this solution was questionable because to improve the street would mean removing the now existing trees. Item 4 - it was the consensus of the Commission that as long as the residents insist on using it as --(COULD NOT MAKE OUT THE REST OF HIS REMARK, TOO FAR AWAY FROM THE MICROPHONE). Item 5 - since there will be no parking between 2 and 6 a.m., this will help solve

Item 5 - Commission was going to ask Council to post No Parking after 2 a.m. but this problem was solved by the Parking Ordinance passed recently. It was mentioned by Council that this has been made possible by passing the Parking Ordinance.

Item 6 - this solution was rejected. Item 7 - this would not be a suitable location for parking. Item 8 - could not make out his remarks on this solution.

The Planning Commission has the Comprehensive Plan and map. They have approved the map but have not finished the review of the plan. The Planning Commission will review this at their next regular meeting September 18, 1976. Council felt a work session should be held between themselves and the Planning Commission to review the new plan and map before a public hearing is scheduled.

ANNOUNCEMENTS

The CRATS Coordinating and Technical Committees will be holding a joint meeting on September 22 at 7:30 p.m. in the State College Borough Building.

The Manager will put a notice in the paper about the residents getting their house numbers up before October 1, 1976.

Mr. Williams had given the Agreement on the Use of the Building to Reed McCormick to review and he in turn submitted a lease for the use of the building which met with Council's approval.

Mr. Williams also reported that trucks traveling on

Oak Ridge Avenue or any road can be controlled according to law.

Regarding Car Pounds - Mr. McCormick suggested the Township have sufficient bonding to prevent legal action by car owners claiming items missing from the car, etc. This was adopted by Ordinance and has to be designated by resolution. An estimate of the costs involved is to be gotten for Council.

It was suggested by Council that the Manager inform the Borough that the Dog Enforcement Officer's contract is to be extended to the end of the year 1976.

Construction on the Oak Ridge Avenue Sewer Line is to begin approximately Monday, August 16, 1976.

Mr. Bailey moved the meeting adjourn, seconded by Mr. Dean and unanimously carried by members present.

Meeting adjourned at 11:40 p.m.

Respectfully submitted,

Elwood G. Williams, Sr.
Secretary