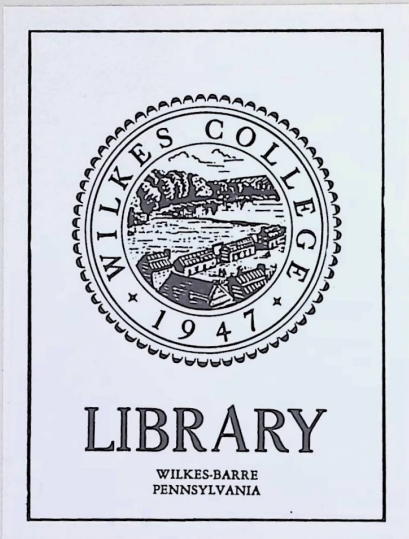


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### SHORT COURSES

Once again the Institute of Municipal Government w  
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School Directors -- A general review of the powers  
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course in the care and use of the revolver, including fir  
Township Supervisors -- A general course that reviews  
and responsibilities of elected township officials; Yo  
practical course in delinquency control for law enforc  
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### BETTER-COMMUNITY CONTEST

Building on the success of nine years of annual  
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October 31, 1965. During this two-year period contest parti  
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The first thing to do is to determine what your com  
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# The Luzerne County News-letter

VOL. XIII, NO. 1 WILKES COLLEGE, WILKES-BARRE, PA., JANUARY 15, 1964

## SHORT COURSES

Once again the Institute of Municipal Government will provide non-credit, non-degree educational opportunities for elected and appointed officials. They are presented in cooperation with the Public Service Institute, Department of Public Instruction, Commonwealth of Pennsylvania. Instruction by the Institute staff is supplemented by guest lecturers.

During the Spring Semester, the following courses will be presented: Fundamentals of Fire Fighting -- A course designed for those firemen who wish to qualify as instructors of the fundamentals of fire fighting; School Directors -- A general review of the powers, duties and responsibilities of elected school officials; Small Arms -- An introductory course in the care and use of the revolver, including firing for record; Township Supervisors -- A general course that reviews the powers, duties and responsibilities of elected township officials; Youth Control -- A practical course in delinquency control for law enforcement officers. This course is offered under the sponsorship of the Juvenile Court of Luzerne County and the Department of Public Welfare.

## BETTER-COMMUNITY CONTEST

Building on the success of nine years of annual contests, the Pennsylvania State Chamber of Commerce and its co-sponsors have revised the program to stimulate local community development and to cover two calendar years, beginning January 1, 1964 and ending December 31, 1965. During this two-year period contest participants must complete the projects they have listed on the Official Entry blank to obtain maximum point credits. Incomplete projects will score lesser points in the judging.

The first thing to do is to determine what your community needs in the way of improvements. Call a meeting of your citizens and repre-

representatives of all civic groups. Discuss your community's needs and select the projects you will work on in 1964 and 1965.

Having decided on your co-sponsoring groups and sub-committees and the jobs they are to do, you're well on your way. At this point, be sure to mail in the Official Entry Blank with the projects listed. This must be postmarked not later than April 1, 1964.

Projects should be parceled out to sub-committees and other civic groups. These groups, working under one central organization, will make it easier for a community to accomplish its objectives in the contest period; and will also make for a well-rounded community with civic, agricultural and industrial improvements to report as achievements.

Appoint a contest chairman to keep track of the various projects and accomplishments. He should oversee the taking of before and after photographs of your projects. Pictures before the various committees start working on improvements and after they have completed their jobs will offer visual evidence to the judges on what has been done. The chairman should also accumulate newspaper clippings and other material. News items should be marked with the name and date of the newspaper.

Toward the end of the contest period, get in all reports from all committees and co-sponsors. Have this material re-written into one consolidated report which will be your Record Book of Progress.

Every community in Pennsylvania is eligible to participate in this contest, including sub-divisions of large cities. However, only one entry per community or sub-division will be accepted. Entrants may be a Chamber of Commerce; an organization with similar functions; or any association of men or women interested in community betterment. A special group may be formed for the specific purpose of engaging in this contest.

The contest period is from January 1, 1964 to December 31, 1965. Record Books showing the varied local promotions must be received not later than midnight March 1, 1966, by the Better-Community Contest Committee, Pennsylvania State Chamber of Commerce, 222 N. Third Street, Harrisburg, Pennsylvania, 17101.

Regional, state-wide and special award winners will be announced on or before June 1, 1966. Presentation of awards will be made by a member of the contest committee or a person designated for the purpose.

## INTER-COUNTY RELATIONSHIPS

If some one were to sum up in a phrase the accomplishments of the meeting of Luzerne and Lackawanna County civic representatives it might well be termed, "A New Approach To An Old Problem." The "old problem," of course, is that of the time-encrusted feeling of jealousy and rivalry which has existed primarily between the cities of Wilkes-Barre and Scranton, and in a lesser degree, between Luzerne and Lackawanna counties. The "new approach" was aptly defined by Mayor Slattery and Mayor William Schmidt of Scranton, in focusing attention upon a vital need for both their municipalities - an improved spirit of cooperation.

With both communities and counties facing the same common problems, it is time for leaders of both the Wyoming and Lackawanna Valleys to make a reappraisal of their problems, of their efforts to solve them independently, as well as the tremendous loss of time, money and energy which could be eliminated, at least in some fields of civic betterment, if such tasks were undertaken jointly.

Primarily under discussion at the meeting of the two mayors, along with representatives of city and county planning commissions, urban development, regional industrial development and affiliated agencies, was the problem of public transportation.

In other fields of cooperative effort, the list is almost inexhaustible - mine drainage programs, sewage treatment, need for new industries to create more jobs, inter-city and inter-state highways linking the communities of both counties, uniform zoning restrictions, to mention only a few.

The time has come when neither the municipalities of Luzerne or Lackawanna County can afford to keep on the way they are going, under separate actions and independent thinking.

(Reprint: Editorial, Wilkes-Barre Record, January 11, 1963)

## JOINT PURCHASING

Seven local governments making up the Regional Cooperation Council of Lower Bucks County, Pennsylvania, have prepared bid specifications for joint purchase of certain materials and supplies during 1964 and 1965.

Commodities for which bids will be received are road aggregates, blacktop mixes, and oils; storm sewer and underdrain pipe; gasoline and motor oil; fuel oil; concrete; salt and calcium; cinders; traffic-line paint; highway tools, office supplies; and janitorial supplies. Accompanying the bid specifications is a tabulation of approximate quantities each participating municipality estimates it will use during the two-year period. Upon certification of the executive board of the Regional Cooperation Council, one award will be made to the lowest responsible bidder for each separate item. Thus, one supplier will be awarded the entire business for all municipalities participating in that item. Ordering materials and payments are the responsibility of each municipality.

Participating in the joint purchasing program are the townships of Bristol, Falls, Lower Makefield, Middletown, and Bensalem and the boroughs of Bristol and Morrisville. This is the second two-year joint purchasing agreement entered into by the Council. The previous agreement, covering 1962 and 1963, resulted in savings estimated at \$16,000 per year.

#### MISCELLANEOUS

An automatic recorder monitors telephone complaints as well as radio calls to the mobile emergency crews of the water, sewer, and street maintenance branch of the Greater Winnipeg Water and Sanitary District, Winnipeg, Manitoba. This system is a sure way to keep the record straight on all customer complaints and emergency operations handled over the telephone. (Willing Water, March, 1962.)

Seed sludge obtained from a sewage treatment plant can be used to start a new digestion tank, thus saving the cost of neutralizing chemicals and assuring early production of sludge gas. (Wastes Engineering, January, 1962.)

#### THOUGHTS FOR TODAY

Committee: What you refer a bill to when you hope it will get lost.

About the only exercise some people get is jumping to conclusions.

#### PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

# *Library* The Luzerne County News-letter

VOL. XIII, NO. 2 WILKES COLLEGE, WILKES-BARRE, PA., FEBRUARY 15, 1964

#### IMPORTANT DATES

##### February

- 10 Send Form MERB-20 and January payroll deductions to the Municipal Employees' Retirement Board
- 15 File Form 450-A (Withholding-Old Age Tax) if required; that is, if employees' tax deductions together with employer's tax liability for January exceed \$100

##### March

- 1 Cities file annual financial report with the Department of Internal Affairs
- 10 Send Form MERB-20 and February payroll deductions to the Municipal Employees' Retirement Board
- 15 File Form 450-A (Withholding-Old Age Tax) if required; that is, if employees' tax deductions together with employer's tax liability for February exceed \$100
- 31 Municipal Water Authorities and municipal water departments file Form 6 with the Department of Internal Affairs
- 31 Municipal Sewer Authorities file Form 7 with the Department of Internal Affairs
- 31 Municipal electric utilities file Form 3 with the Department of Internal Affairs
- 31 Motor vehicle registration for non-commercial vehicles expires
- 31 Return affidavit certifying number of police employed per month during previous year to Auditor General's Office

### CITY MANAGERS

The council-manager form of local government continued its rapid growth in 1963 as 82 additional communities in the United States and Canada adopted the plan. This plan is now used by 1,954 communities in North America and it is the most popular form of local government in American cities between 25,000 and 250,000 population. Over one-half of all American cities in this population group are council-manager cities, according to the "1964 Directory of Council-Manager Cities," soon to be published by the International City Managers' Association.

Leading the states with additions to the Council-Manager Directory in 1963 was California with 16 communities followed by Pennsylvania with 12. Nine communities were added in Michigan, and four cities and one county in North Carolina. Five new council-manager communities were reported from Canada.

Since 1950 the number of cities using the council-manager plan has increased by an average of 75 per year. Sixteen of the 51 American cities with populations in excess of a quarter-million are council-manager cities. Four of these have populations over a half-million: San Antonio and Dallas, Texas; San Diego, California; and Cincinnati, Ohio. The largest local government with the council-manager plan is Dade County (Miami), Florida, which has a population of 935,000.

The council-manager form of government is 56 years old. It started in 1908 when the council of Staunton, Virginia, appointed a general manager. Four years later, Sumter, South Carolina, became the first city in which the plan was adopted by vote of the people.

A survey reported in the Directory indicates that most of the men appointed as managers during 1963 had previous public administrative experience, usually as a manager in another city, an assistant manager, or a department head. Most of the new appointees were under 40 years of age at the time of their appointment.

### POLICEMEN'S TEN COMMANDMENTS

1. Ask God to give me the strength to do my duty as it should be done;
2. To improve myself morally, mentally, physically, and spiritually;
3. To be obedient and carry out all orders from my supervisor;
4. To protect life and property;
5. To report for duty punctually and to be presentable at all times;
6. To be firm and still be courteous;
7. To be willing, cheerful, and respectful at all times;
8. To treat my brother officers as I would like to have them treat me;

9. To live my life so as to be a credit to my profession
10. To remember always that I am a public servant and am obligated to give the best I have in me.

### EXCESS CONDEMNATION

In our nation, planning, which involves the imposition of control exercised by or in behalf of the entity we call society, is bound to encounter the wall of constitutional limitation. One of the prime areas of social control is formal or governmental control; this thesis deals with one of the less commonly employed means of social, formal control, i. e. excess condemnation.

Excess condemnation is best defined as the practice of acquisition by public authority under the right of eminent domain of more property than will be actually occupied by the contemplated public improvement. The concept of excess condemnation has no meaning outside of the law of eminent domain, being a portion, an extension of that power.

The power of excess condemnation is utilized primarily for three purposes: one is the taking of remnants created by takings for purposes of highway construction or street widening; another is to provide restriction and protection for the area around a great variety of public improvements; the final and most controversial, is taking of excess property which, following the completion of the public project, will be sold in order to recoup either all or part of the cost of said improvement. The theoretical justification of this latter procedure is the right of the government to provide for itself a part of the unearned increment or the increase in value of property adjacent to public improvements which has been brought about not through an act of the owner, but rather by the development power of the state. The creator of value, not a fortuitous person, should reap the rewards.

Excess condemnation has not been extensively used in the United States. Reasons for this disuse include an emotional antipathy based on the sacramental quality of property rights in our society, an undue conservatism on the part of city attorneys and solicitors, the negative semantical nature of the words, the high initial capital expenditure, fear of political abuse and manipulation, and the difficulty of achieving judicial approbation. Excess condemnation, particularly when provided for by statute rather than constitutional amendment, has been struck down by the courts under the doctrine of public use. The narrow doctrine of public use, "use by the public," is an anachronism reburied by the legal acceptance of a broad concept of public benefit in the housing, slum clearance, and redevelopment cases in the late thirties. The ef-



fect of these cases in redevelopment, in addition to eliminating the legal doctrine which had been used to attack excess condemnation, also eliminated much of the necessity for exercise of the powers of excess condemnation. In actuality, the legal cloud which hung over excess condemnation for over a century has not been lifted since no court which had applied the narrow doctrine of public use has ever reversed its holding. Moreover the question of whether excess condemnation violates the Fourteenth Amendment of the Federal Constitution even when provided for in a state constitution has not been answered.

The planning activity in which excess condemnation has the most future is highway planning. The taking of land for protection of right of way, limitation of remnants, and restriction of adjacent land is a valuable method of marginal land acquisition.

(Abstract of a thesis by Benjamin H. Renshaw III, Fels Institute of Local and State Government, University of Pennsylvania.)

#### ROAD IMPROVEMENT

In 1869 the city fathers of New York floated a \$377,500 road improvement bond issue. Maturity date was to be year 2147. By that time the 7% interest rate will have cost the city more than \$3 million. The two miles of plank road the issue built have long since disappeared. Is there a moral?

#### THOUGHTS FOR TODAY

It isn't the load that breaks us down, its the way we carry it.

The best place to look for a helping hand is at the end of your arm.

If there's one thing that will make your wife's eyes twinkle, mink'll.

Flattery won't hurt a man, so long as he doesn't inhale.

#### PUBLICATION

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# *The Luzerne County News-letter*

VOL. XIII, NO. 3, WILKES COLLEGE, WILKES-BARRE, PA., MARCH 15, 1964

#### LOCAL OFFICIALS' DINNER

The Institute of Municipal Government at Wilkes College will hold a bi-monthly dinner for local officials in the Wilkes Commons on Wednesday, March 18, 1964, at 6:30 p. m. The featured speaker for the evening will be Mr. James B. Post who will discuss, "Luzerne County's Reassessment Program."

The amount of money received from the real estate tax, local government's most important source of revenue, depends upon three factors: the assessed valuation of real estate, the tax rate, and the proportion of total taxes that is actually collected. The making of assessments in Luzerne County is really a County rather than a local government function. At the heart of local government's financial structure is the whole Assessment Program.

In 1957, the Luzerne County Commissioners adopted a Reassessment Program in order to remove the inequities then existing. Because delays were endured over the last six years in the adoption of the Reassessment Program, pressures were built up over inequities and discrimination. The new County administration, under the chairmanship of Mr. Post, has the adoption of the Reassessment Program as one of its primary goals. Mr. Post will be accompanied to this bi-monthly meeting on March 18th by his colleagues Mr. Goss and Mr. Wideman, the Board of Assessors, and the new Mapping Director, Mr. Price.

#### LUZERNE COUNTY BOROUGHS ASSOCIATION MEETING

The Luzerne County Boroughs Association will hold its meeting on March 18, 1964, at the Wilkes College Commons following the 6:30 P. M. meeting of local officials. All boroughs in the County should be represented at the meeting.

Among the items to be discussed at the meeting are the Annual Dinner of the Institute of Municipal Government, election of officers of the Luzerne County Boroughs Association for 1964, and the Annual Convention of the Pennsylvania Association of Boroughs.

Convention of the Pennsylvania Association of Boroughs.

### INSTITUTE COMPILING MAILING LIST

The mailing list for the Luzerne County Newsletter, published by the Institute of Municipal Government, must necessarily be brought up to date after each election. This task can only be successfully completed with the assistance of all municipalities.

The Institute would appreciate the cooperation of all municipalities which have not yet forwarded to us its list of officials. Please do so as soon as possible so that the mailing list of the Institute can be updated.

### CONSOLIDATED INSURANCE POLICIES

Orange, California, (pop. 35,000) has realized substantial savings on city insurance by negotiated proposals and consolidation of policies.

The procedure did not involve employment of an insurance analyst, use of sealed bids, and other formalities. Instead, a letter was sent to each local insurance agent pointing out that the city had 24 policies with 13 different anniversary dates and that their evaluations and tentative quotations were desired for better coverage at less cost. The appropriate financial and statistical data were enclosed with the letters. Only four proposals were received, and these were checked to arrive at a firm consensus on appropriate coverage. It was decided to place all insurance in three groups: fire insurance; surety bond premiums; liability, comprehensive, burglary and robbery, and all other. Final listings then were prepared and each of the four agencies was asked to quote firm premiums for the coverages shown.

The savings already have been dramatic. Premiums for the "all other" group have been reduced from \$18,904 to \$15,590 per year with greater coverage and two policies replacing six policies. On surety bonds, with city council approval for realignment of some coverage, the annual premiums have been reduced from \$6,607 to \$2,076, and from six policies to one policy. Negotiations are now under way to consolidate 10 fire insurance policies into one policy.

It is felt that this method of informal negotiation has several advantages over more formal procedures, including flexibility in working out exact coverages, better relations with local agents, and an easier task in preparing specifications.

### ORAL TESTS FOR PUBLIC PERSONNEL SELECTION

The process of selecting employees by means of competitive examinations, a process originating with the beginning of the merit system, is the cornerstone of the public personnel program. The examination system evolved not only as a result of the abuses of patronage but also because of its inherent merits. Competitive examinations have proved to be a successful method in determining relative competence for appointment.

The oral test is being used increasingly in public service examining programs as an integral part of an examination process which may include written, performance, and oral tests, as well as an evaluation of experience and training. It is most frequently used for higher job levels, when public contact is required of the appointee and where the position will require supervision of other employees. Its primary function is to measure such personal characteristics as initiative, poise, tact, sociability, vocal expression, presentation of ideas, comprehension, and potential leadership ability.

Oral tests are usually one of two types. An individual oral test where each candidate is interviewed by a panel of two to four examiners is the most commonly used type of oral test. The group oral test, a more recent development in oral testing, differs from the individual oral test in that a group of candidates are seen at one time rather than individually, and the candidates interact with each other rather than with the examiners.

Advantages of the individual oral test center in its ability to develop evidence relative to the interests and motivation of candidates which is not possible in the group situation. The group oral test reveals evidence relative to leadership and social qualities which are difficult if not impossible to develop in the individual oral test. Each test therefore reveals some factor not observable in the other test. For higher level and supervisory positions using the individual oral test as a follow-up to the group oral test provides a more valid basis for evaluation.

The effectiveness and value of the oral test depends largely upon the abilities of the interviewers who conduct the test and rate the candidates. Therefore the selection and training of examiners is of prime importance. Training activities of most personnel agencies consist of providing written material to the examiners and holding brief sessions. Practice interviewers have proved to be an excellent training device.

In summary it may be said that the oral test is effective to the degree it is used properly and is an important instrument wherever tests of personal attributes are considered to be essential.

### COMMONWEALTH vs BUTLER

The executive secretary of the City of Pittsburgh Pension Fund, an employee hired by the board of directors of the pension fund, was charged with misbehavior in office, false pretenses and embezzlement because he had withdrawn, by the use of a fictitious name, a sum of money from the pension fund. At the time this was done, the defendant had on deposit with the fund more money than he had withdrawn. The Grand Jury ignored the counts relating to embezzlement and false pretenses, but returned a True Bill relating to the charge of misbehavior in office. Counsel for the defendant then filed a motion to quash the indictment.

The Court of Quarter Sessions of Allegheny County ruled that a city employee, the nature of whose employment does not meet the standards of a "public officer," cannot legally be charged with the crime of "misbehavior in office." An employee, hired by the board of directors of the city pension fund, having no fixed term, receiving no fees or emoluments, and performing duties that were purely ministerial in character and not defined by law, is not a "public officer." Consequently, the court granted the defendant's motion to quash the indictment charging him with misbehavior in office.

### THOUGHTS FOR TODAY

You have to do your own growing--no matter how tall your grandfather is.

It takes a long time for some people to recover from an illness --if compensation sets in.

### PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

# *The Luzerne County News-letter*

VOL. XIII NO. 4 WILKES COLLEGE, WILKES-BARRE, PA., APRIL 15, 1964

### ANNUAL DINNER

The Twelfth Annual Dinner for award winners will be held at the Wilkes Commons on Wednesday, May 13, 1964 at 6:30 P.M. This will be a gala occasion for local officials and local government employees in Northeastern Pennsylvania, particularly in Luzerne County. The dinner really brings to a climax the activities in local government which the Institute of Municipal Government has conducted over the past year.

The main speaker of the evening will be the Honorable Henry D. Harral, Secretary of Highways of the Commonwealth of Pennsylvania. Secretary Harral has had a distinguished career in public service and highways as an Advisory Associate at the Fels Institute at the University of Pennsylvania, as Chairman of the Policy Committee of the Pennsylvania Transportation Study, as both the Deputy Commissioner and the Commissioner of the Philadelphia Department of Streets, and as Executive Director of the Delaware County Planning Commission. Mr. Harral has been in municipal engineering work since 1924.

May 13 is Ladies Night. Wives of all those who will receive Certificates of Attainment and Service Awards are cordially welcomed.

### COMMONWEALTH EX REL. FOX V. SWING, 1962

A complaint in quowarranto was filed against a first class township treasurer, who had been elected to the office of county commissioner, alleging the offices of township treasurer and county commissioner had functions, duties and responsibilities that were incompatible, and, therefore, the positions were held illegally.

The appellant filed preliminary objections to the jurisdiction of the lower court contending that the power to determine whether or not two public offices are incompatible is vested in the legislature (Article XII, Section 2, Pennsylvania Constitution of 1874) and that the question

of incompatibility cannot be decided by the courts. The preliminary objections were dismissed after argument and appellant was given 20 days to file an answer. An appeal was taken to the Supreme Court of Pennsylvania

The Supreme Court ruled, in November, 1962, that the offices of county commissioner and township treasurer are not incompatible because there is no law declaring them to be incompatible. The Constitution of Pennsylvania, in declaring that "The General Assembly may by law declare what offices are incompatible," has provided the method by law declare what offices are incompatible. Therefore, the courts have no power to hold offices to be incompatible merely because the legislature has failed to act. The order of the lower court was reversed and the action dismissed.

#### PENNSYLVANIA V. MC HUGH, 1962

On March 13, 1962, the Pennsylvania Supreme Court reversed a judgment of the Commonwealth Court which had held that the public utility exemption from Pennsylvania Selective Sales and Use Tax did not apply with respect to the purchase of materials for use in constructing new public utility facilities. The Pennsylvania Supreme Court's opinion squarely holds that materials purchased for use directly in rendering a public utility service as exempt from Pennsylvania Selective Sales and Use Tax, regardless of whether such materials are for use in reconstructing and maintaining existing facilities or in construction of new facilities. The exemption may be claimed either by the public utility or by the construction contractor.

Some companies may already have paid the tax on purchases of materials for use in new construction in reliance upon the lower court's decision or upon Sales Tax Bulletin No. 25 issued by the Department of Revenue on January 10, 1961. Such companies may file petitions for refund with the Pennsylvania Department of Revenue within five (5) years from the date of payment of the tax.

#### PITTSBURGH CITY FIRE FIGHTERS LOCAL NO. 1 V. BARR, 1962

The Supreme Court of Pennsylvania reversed the order of the Court of Common Pleas, Allegheny County, which had dismissed a complaint in mandamus seeking to compel the city to submit to the grievance procedure in the Public Employees Anti-Strike Act, the firemen's demand for a wage formula tying in the wages of the firemen to other wages in the City.

The Supreme Court ruled that, for public employees, matters pertaining to future substantive terms of employment are "grievances," hence subject to arbitration by a panel (although the recommendations of the panel can be advisory only, and are not binding upon the governmental authorities). This is because public employees, unlike private employees, have no means of negotiating a contract with their employers through collective bargaining, setting forth the terms of employment, including wages, for a specified period in the future. In most instances, a governmental unit lacks the power to bind itself to its employees by the terms of a contract.

Grievances affecting municipal employees, therefore, are not merely the day-to-day complaints which normally are settled by the grievance procedure in the industrial context. Rather, in the governmental situation, these grievances also concern the main elements of an employee relationship, matters which in the industrial situation are determined in the collective bargaining agreement.

Therefore, to deny municipal employees the right to invoke grievance machinery to present demands concerning wages, hours and working conditions would be to defeat the entire purpose of the Anti-Strike Act. The provision of this facility for discussion is designed in no small measure to compensate for the inability to strike.

#### SUN OIL CO. V. ZONING BOARD OF PITTSBURGH, 1961

An application for permission to build an automobile service station on a heavily-traveled main highway in Pittsburgh was turned down because the zoning ordinance required that major vehicular access points for such a thoroughfare must be at least 300 feet apart. The oil company objected to this on the ground that it would force them into unnecessarily large sites. However, the Pennsylvania Supreme Court upheld the regulation on the ground that "Adequate distance between access points tends to avoid the likelihood of congestion on the station driveways, and to prevent situations where vehicles waiting to enter protrude into the highway traffic lanes."

#### DONAHUE V. WHITEMARSH TOWNSHIP, 1963

Pennsylvania Supreme Court decisions in 1960, 1961 and 1962 presented a slowly evolving discussion of the meaning of the statutory requirement that zoning ordinances be adopted in accordance with a comprehensive plan.

Many people misread *Eves v. Lower Gwynned Township Z. B. A.*, 401 Pa. 211 (1960), as an opinion requiring a formal master plan document. However, the later 1961 and 1962 decisions indicated that the statutory requirement did not mandate a separate master plan, but only a consistent policy approach. Nevertheless, a number of cases had been started through the courts, basing their zoning attacks upon the absence of a master plan document.

The Donahue case is one of those cases. Whitmarsh Township amended its zoning ordinance to authorize an apartment house district but did not designate any such district on the zoning map until six weeks later. Objectors attacked the amendments on the ground that they created an invalid floating zone, but the Supreme Court upheld the amendments by pointing out that no step-by-step procedure for obtaining rezoning had been inserted in the ordinance, as was done in the *Eves* case ordinance. Thus the importance of shrewd ordinance draftsmanship was underscored. The Whitmarsh apartment amendment also showed good draftsmanship in that it contained an articulate declaration of intent, upon which the court relied.

In answer to the objectors' argument that a separate master plan was required, the Court pointed out that a comprehensive plan can be embodied in the general zoning ordinance itself, thus again indicating that the legal comprehensive plan requirement mandates only a consistent policy approach.

#### THOUGHTS FOR TODAY

Isn't it too bad that success makes failures out of so many men.

World conditions today are a direct result of mess psychology.

About all the average person learns from his mistakes is how to be an expert in making excuses.

#### PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

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*The Luzerne County News-letter*  
MAY 15 1964

VOL. XIII, NO. 5 WILKES COLLEGE, WILKES-BARRE, PA., MAY 15, 1964

#### ANNUAL DINNER

The Institute of Municipal Government culminated another successful year of activity with the Twelfth Annual Awards Dinner for local officials in Northeastern Pennsylvania. Certificates of Attainment were presented to 187 men and women who completed the following courses offered by the Institute: Rural Assessment, School Directors, Small Arms, Township Supervisors, Arson Detection, Criminal Investigation, Fundamentals of Fire Fighting, and Magistrates - Criminal Law. An additional 56 officials and employees received certificates in Police Handling of Youth.

Service Awards were presented to 24 officials and employees for their experience and untiring efforts as public servants in their communities. Persons receiving the awards were: Stanley Meholchick, Ashley School District; Edwin F. Henry, Central Luzerne Jointure; Elliott Miller, Courtdale School District; Harold Brobst, Dallas Borough; Peter Wanko, Edwardsville School District; Angelo Russo, Exeter Borough; Henry Nork, Fairview Township; Roger J. Kirkhuff, Forty Fort Borough; W. C. Wint, Hanover School District; John Emanuel, Hanover Township; George Bulford, Jackson Township School District; Christopher C. Gowran, Jenkins Township; Frank Green, Jermyn School District; Ralph Schmoll, Kingston Borough; Nellie J. Brown, Laflin School District; Oscar Wagner, Nescopeck Borough; Clarence P. Shaffer, Nescopeck School District; Simon Russin, Plains Township; Sheldon Thomas, Plymouth Borough; Stephen R. Stefanides, Swoyerville Borough; Wilbur T. Nauman, White Haven School District; Francis Ecker, Francis V. Murphy, and Clement W. Perkins, Wilkes-Barre City.

## BUSINESSMEN'S ROLE IN URBAN RENEWAL

Although there is unanimous agreement that the United States faces a severe urban crisis, the majority of our cities either limp along with a do-nothing policy or at best get a meaningless surface cosmetic treatment. The reason for this bungling approach, to put it bluntly, is the lethargy of the American businessman. In an area of complex and vital self-interest, it appears that free enterprise is proving itself neither free nor enterprising, but timid, passive, and defeatist. With few exceptions, it has been government that has taken the initiative in urban revitalization.

Now that government has opened the door, the public should demand that all attributes associated with free enterprise--daring, imagination, creativity, the willingness to take risks--come to the forefront to push the slow bureaucratic process into speedier action. In the framework of a free democratic society the task of revitalizing our cities can be accomplished only by the bold efforts and intimate partnership of both government and free enterprise.

The few experiences with government-business partnership for urban revitalization suggest the following guiding principles for free enterprise:

1. Business must take the lead, for the businessman has most to gain from urban renewal.
2. The presence of influential business figures on revitalization committees blocks opposition from less influential sources.
3. Financial support provided by businessmen multiplies the effects which government revitalization efforts can achieve.
4. Businessmen must realize that flowerpots are not enough; simple city beautification measures, as opposed to full-scale revitalization, are about as effective as treatment of cancer by aspirin.
5. Above all, businessmen must work hand-in-hand with government officials. Neither should attempt to go-it alone.

(Excerpt from Harvard Business Review, May-June, 1963)

## RULES SET FOR WAGE TAX COLLECTION

Representatives of the City of Wilkes-Barre, Newport Township, and Hanover Township recently held a meeting to discuss possible uniformity in administering a \$10 occupation tax which had been levied by all three communities. It was decided that a standard form be adopted whereby the tax deduction will be made from the employee's pay. A standard identification form will be given to the employee to show that he had paid the tax.

Agreement was also reached on regulations to govern such workers whose jobs change between communities, such as construction workers, bakery truck drivers, and insurance agents. It was decided that if a person's office were in a community not levying the tax, he would still be obliged to pay it if he earned at least \$800 annually in any community carrying the tax.

All three communities agreed upon a standard method of record-keeping. The tax office of each community will determine who had paid by checking tax receipts with names and addresses in directories. The payment is mandatory for all workers who earn \$800 annually, whether they be self-employed or not. The tax is binding regardless of occupation.

It is the employer's duty to determine if their employees will earn more than the minimum amount during the calendar year. If employers are in doubt, they may withhold the tax, and those who do not meet the \$800 requirement will receive a tax refund.

## WHERE DO THEY FIND THE SPACE?

An analysis of more than a million auto trips in Pittsburgh indicates that 93% parked free. About 38% found space on the street; 25% on lots, 1% in garages, and 28% on residential property. Half of the 7% who paid to park used street meters... The parking industry, one of the fastest growing chain operations in the U.S., is currently doing \$350 million worth of business. The largest such company, which specializes in airport lots, operates 94 facilities in 55 cities.

## REFUSE DISPOSAL

The University of Oregon recently conducted a special refuse survey of cities over 100,000 in population. The larger cities of the United States, it was found, generally have regulations which prohibit the open burning of discarded tires and building materials and waste oil, according to information provided by 38 cities in response to the questionnaire. Disposal of waste oil in sewer systems also is generally regulated or prohibited.

A majority of responding cities assume some responsibility for disposing of waste tires and waste building materials. Ten cities report full or partial responsibility for waste oil disposal. The limited number of cities with responsibility for waste oil disposal may be partially due to the extent to which this material is reclaimed.

Discarded tires and building materials are generally disposed of in sanitary landfills. However, most of the cities utilizing this method report that it is not entirely satisfactory. Some cities incinerate discarded tires and building materials and report this to be a satisfactory method of disposal. Waste oil is collected and reclaimed by private agencies in most cities. Discarded tires are also salvaged by private agencies in a number of cities. Two cities report that waste oil is used to hold dust on roads.

(The Street Cleaner, May, 1964, Vol. 48, No. 4)

## THOUGHTS FOR TODAY

Women can keep a secret just as well as men, but it generally takes more of them to do it.

Experience is what makes your mistakes so familiar.

## PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

JUN 15 1964

# *The Luzerne County News-letter*

VOL. XIII, NO. 6 WILKES COLLEGE, WILKES-BARRE, PA., JUNE 15, 1964

## HENRY D. HARRAL

Speaking at the Twelfth Annual Awards Dinner of the Institute of Municipal Government, Secretary of Highways Henry D. Harral announced the creation of a State Highways Commission to develop a six-year construction program for the Commonwealth so that county and municipal governments will be able to plan road construction projects in their areas. He reported that the Highway Department is engaged in a comprehensive statewide classification study of all 105,000 miles of roads, streets, and highways in the State and local systems. The purpose of the comprehensive analysis is to set the criteria for the placement of roads, standardize construction and maintenance, and develop a financial plan involving the allocation of revenue according to class.

"For the first time there will be an announced program of what is within the Department's resources so that cities, boroughs, towns and counties can proceed with their highway planning with a good idea of when the Department will come into local areas. That means we have to work together. This concept means there must be a complete meshing of State and local desires to accomplish a complete and adequate highway program."

In the past, highways were judged adequate if they were safe, convenient, swift, smooth, economical, pleasant, and attractive. The new philosophy, according to Secretary Harral, regarding the adequacy of highways, not only includes the above, but also adds promoting the economical health of an area, in serving the natural and historic resources enhancing urban values, and in conforming to community design.

Secretary Harral described highways as the "adhesive" that ties all transport modes together. "An airport without highways leading to it could not be used. A railroad station without opportunity to bring goods and people to it would not be helpful. Even water transport must have roads that come to it."

## APPALACHIA PLAN

A personal appeal by Governor Scranton — coupled with prompt Presidential approval — has resulted in the addition of \$10.62 million for coal regions to a proposed Federal-State economic development program for Appalachia. The Governor's five-point program to get rid of the after effects of coal mining was included in the Appalachia proposal sent Congress by President Johnson. If Congress agrees, the money would be used to begin a ten-year program estimated to cost \$436.25 million in Pennsylvania alone.

Pennsylvania's 210,000 acres of strip pits are so ugly that they repel tourists and keep industry away. In addition, they are a source of acid drainage which pollute streams and create waste which could become a valuable land resource, both recreational and industrial. At an estimated cost of \$500 per acre in the anthracite fields, nearly 1,000 acres are now being restored each year by the State on its own. If funds are made available by Congress under the Appalachia program, the job could be done five times as fast. The immediate impact would be a boost of from 1,000 to 5,000 acres to be rehabilitated during fiscal 1964-65.

Currently, 27 underground mine fires are burning in Pennsylvania — endangering human life, destroying surface property, and driving industry away from the hard-hit coal regions. Since 1953, some 45 other fires have been extinguished at a cost of \$250,000 annually in State funds, plus additional \$150,000 a year from the Federal government. Today, a major urban renewal project is underway in Carbondale where about 404 families in a 100-acre area have been affected by a major underground mine fire. At Laurel Run, an underground mine fire that has been burning for fifty years threatens 181 homes, parts of Wilkes-Barre Township and the City of Wilkes-Barre. The urban renewal formula again will be used to evacuate residents, clear the area, put out the fire, and rehabilitate the land. Inclusion of an allocation for burning fires in the Appalachia program means the problem can be attacked in other areas where the fires are fully as dangerous.

A major factor which has deterred industrial expansion in Pennsylvania's coal regions is the danger of surface subsidence above abandoned coal mines. Because of this, the surface gives way, buildings collapse, water and sewer lines are destroyed, and families forced to flee their homes. Industry, which could take up some of the unemployment slack, shuns such areas. Since 1953, Pennsylvania already has treated 49 such areas in the bituminous fields by flushing fill material back in to mines in danger of collapse. Eight similar areas have been completed in the anthracite fields. Presidential approval already has

been given to a requested \$1 million added appropriation to continue preventive measures on a long-range basis — as well as an additional \$700,000 to be used in urban renewal projects. Congressional approval would step up Pennsylvania's own fight on mine subsidence in 7 areas still remaining to be treated in the bituminous fields, plus 35 others in the hard coal regions.

Long deplored by Pennsylvania outdoorsmen and conservationists as the major disease that has killed some 2,000 miles of state streams, acid mine drainage must be cured. Action programs to both seal off abandoned mines and build effective plants and processes to eliminate or treat acid mine drainage also are needed. Despite the fact that the Appalachia report already contemplates research activities towards more economical methods of reducing acid mine drainage, President Johnson already has approved Governor Scranton's personal appeal to begin practical anti-pollution measures immediately.

Both Pennsylvania's anthracite and bituminous areas are dotted with hundreds of burning and non-burning culm piles and other spoil banks of the mining industry. All are unsightly, discourage job-creating industry from locating in the area, use up needed land, and, when ignited, form a serious air pollution health menace. The current count is 25 in the anthracite areas, plus uncounted hundreds of non-burning refuse banks. The Legislature has already appropriated \$325,000 to be used on burning banks, \$200,000 of it to remove "hot spots" and the balance — to be matched by Federal funds — to design, construct and operate a pilot plan for elimination of air pollution. In addition, the Legislature is currently considering a bill appropriating \$400,000 to design, construct, and operate a cleaning plant to process non-burning refuse to be used as underground fill to prevent mine subsidence. Congressional approval of an allocation through the Appalachia program will mean that Pennsylvania not only can begin a detailed survey for planned action but can actually spend \$2 million of it on removal of both burning culm banks in the next fiscal year.

## RENTING AUTOMOBILES FOR POLICE USE

According to a 1961 survey done by the Municipal Reference Bureau of the League of Minnesota Municipalities, 16 municipalities have been using a relatively untried technique in the field of Police Administration, that of renting automobiles from local dealers for use in police work. Such a rental system is intended to provide Police Departments with properly equipped squad cars without at the same time burdening municipal budgets with irregular costs of purchasing, repairing and otherwise maintaining such vehicles.



The idea is not new. It was tried in the early 30's, and local officials have generally reported that it has proven successful. Rental agreements can, and probably should, contain a large number of provisions and define the responsibilities of both the municipality and the lessee. Mutual understanding of these responsibilities is a crucial first step towards harmonious relationship of a successful program.

Among the provisions are: discussion of the car, provision for repairs, use of substitute vehicle, periodic maintenance and servicing, gas and oil, insurance, installation of police equipment, replacement of cars, length of contract, method and amount of payment, payment for repair of damages.

Among the advantages cited are: economy, freedom from repair and maintenance worries, reduction in the amount of time lost when cars are removed from service for repairs and maintenance work, ability to replace cars with new equipment more frequently, life of the rental cars exceeding the usual life of a police car.

While the Minnesota and Illinois dealers willingly participate, Kansas municipalities found that their auto dealers were reluctant to provide cars on a rental basis and assume the required risks. Such an attitude is likely to raise the rental fees which the dealers would require.

In summarizing, the only statement that can be made today is that some municipalities have tried the system and have been satisfied with it. Their success coupled with the fact that it provides a method through which some of our cities can obtain police cars without making large capital outlays and without assuming the risk of possible heavy repair costs does seem to recommend that more municipalities might give serious consideration to the advisability of adopting the plan.

#### THOUGHTS FOR TODAY

The best place to look for a helping hand is at the end of your arm.

Some business careers are carved; others are chiseled.

#### PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

## *The Luzerne County News-letter*

VOL. XIII, NO. 7 WILKES COLLEGE, WILKES-BARRE, PA., JULY 15, 1964

### URBAN REDEVELOPMENT

Leon E. Hickman, Executive Vice-President and Chairman of the Finance Committee of Alcoa, made a number of constructive remarks, concerning urban redevelopment at the National Mortgage Banking conference held in February 1964 in Chicago. Mr. Hickman's look at urban redevelopment is significant because he sees troubles that need resolving before renewal activity can become an aggressive generator of urban redemption. While it is impossible to reproduce all of his remarks printed in Urban Land, May, 1964, some pertinent excerpts are worth noting.

"Something is plainly wrong. Of 22,000 acres purchased by cities for redevelopment since the federal program began in 1949, only 6,800 acres have been resold to developers. Of the remaining 6,000 acres haven't even been cleared of old buildings; while another 3,300 acres have been cleared but no redevelopers located. Some 5,900 acres are cleared and appear close to being sold to redevelopers. Obviously, there are serious gaps between acquisitions, clearing and redevelopment."

"Part of the problem is the responsibility of the redevelopment agencies. They ought to choose for development neighborhoods that are capable of total redevelopment in one or a series of programs. Otherwise, you have only an island; or, to change the figure, the cancer is but partly removed."

"A private redeveloper has got to have a lot of confidence in his local redevelopment authority to buy one of these programs. The redeveloper needs to know that the authority, and the community behind the authority, are reasonably sure of seeing the total project through to completion. He needs confidence that if he commits for a redevelopment which obligates him to build to a specific program over a substantial number of years, the redevelopment agency will be reasonably flex-

ible in its insistence upon time schedules and in revisions of program, where experience indicates the original concept to be uneconomic."

"The community also has a share of the responsibility. Urban redevelopment ought not to be undertaken unless the municipality is organized and dedicated to a total program. Anything short of that means ultimate defeat."

"There are quite a number of such aroused communities and they are usually the ones that are staffed with able and dedicated urban renewal officials. Short of such total dedication, urban redevelopment is fraught with peril and maybe a vast waste of money. This is not a game for halfway measures and weakly-sponsored programs."

"Our municipalities are so hungry for funds that redeveloped properties are placed on the tax rolls at figures which too often simply kill the attractiveness of the project. This happens before the development is ever filled up with tenants, before it even gets off the ground. In far too many cases a project teeters between red and black ink depending upon the tax assessment."

"In need as municipalities are of tax revenue, there ought to be a better understanding than now prevails that the early and heavy imposition of property taxes will in the long run defeat this urban renewal concept and the hoped for improvement of the municipal tax base. If taxes could be imposed at lesser rates in the earlier and more difficult years in recognition of the fact that the developer has got to make a reasonable profit on his development and his management if such programs are to continue, urban renewal would have a much more certain future than in the case today."

#### TIPS ON SNOW CLEARANCE

Abandoned or stalled vehicles in the streets was a big hindrance to snow clearance efforts last winter in a number of communities. To forestall such a situation the following suggestions were listed in a recent issue of the Local Government News Letter:

Have a municipal ordinance, backed up by stiff penalties for non-compliance, requiring cars to have snow tires or chains on snow-covered streets.

Request trucking and delivery firms to remain off streets after all-night snows until they have been cleared for traffic.

Designate vacant areas in commercial districts as emergency parking zones where drivers can leave their autos rather than block streets with them.

Clear municipal parking lots as soon as possible so parking will be available other than on the main roads where snow removal equipment will be working.

Coordinate all emergency forces — police, fire, public works — in a special storm center so time can be saved when reacting to unusual or dangerous situations during snows.

#### Some Do's and Don't's

Don't wait to buy new snow equipment until old equipment can no longer be repaired. New equipment will be found easier to operate, efficient, and less expensive to maintain.

Don't wait until snow has accumulated several inches before beginning plowing operations.

Do purchase chlorides in bulk and store them in or near the same building with spreaders. This puts the vehicle on the road faster; no time is lost in opening bags.

Do have rosters of men who would be available for work during snow emergencies.

#### CITY MANAGERS AND SOCIAL CLASS

Much more conscious effort must be made to provide for political participation by all social groups in council-manager cities if the plan is to continue its development. This is the major conclusion to be drawn from a recent survey of 74 suburban cities in the Chicago area.

The cities were arranged in rank order of median dwelling unit values, and the definite coincidence of high housing drops, a few more non-manager cities appear. About halfway down the list, manager and non-manager cities are in about the same proportion. Below the 43d rank city in value of housing, all of the remaining 31 are non-manager cities.

It appeared that on the average the manager cities had a higher expenditure per capita, a lower net municipal debt per capita, and high property taxes per capita. The major variable in this pattern undoubtedly is the greater wealth of many of the suburban cities which have chosen the council-manager plan.

Citizen groups which have an interest in council-manager plan need to study the problem of communication with those in the community

of lower social rank. The plan should be explained more in detail rather than merely using the analogy of the business corporation.

It is stated that lower status persons have less opportunity to hold municipal office where selection at large is employed. In addition, it is probable that many persons in lower status groups have relatively more difficulty understanding how they can achieve representation in the council-manager plan city. The survey shows some evidence that the benefits of the plan are not equally apparent to members of different social classes. (Public Administration Review)

#### MISCELLANEOUS

"The Citizen's Part in Crime and Accident Prevention" is the title of a pamphlet issued by the police department of Statesville, North Carolina. The pamphlet lists many useful suggestions for businessmen, housewives, and school children, who, if they fully cooperate with their local police department in following the rules and suggestions set forth, can substantially reduce the number of crimes and accidents in their community. (FBI Law Enforcement Bulletin, May 1962)

Police officers who direct traffic on dark streets in Memphis will wear bright orange and white vests, enabling motorists to see them better. (The Municipal South)

#### THOUGHTS FOR TODAY

1964 may go down as the greatest entertainment year ever, what with the World's Fair, two national political conventions and the plunging neckline.

Try praising your wife even though it may frighten her at first.

#### PUBLICATION

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# *The Luzerne County News-letter*

VOL. XII, NO. 8 WILKES COLLEGE, WILKES-BARRE, PA., AUGUST 15, 1964

## FOURTH ANNUAL COMMUNITY GROWTH CONFERENCE

You are cordially invited to attend and participate in the FOURTH ANNUAL COMMUNITY GROWTH CONFERENCE to be held at Wilkes College, on Wednesday, September 30, 1964.

In an attempt to come to grips with the more pressing problems of our area, the sponsors of the COMMUNITY GROWTH CONFERENCE are pleased to provide this unique opportunity to share experiences with nationally known authorities who have been invited and will participate in the CONFERENCE with us. This FOURTH ANNUAL COMMUNITY GROWTH CONFERENCE will provide an opportunity for the exchange of ideas among the various organizations and individuals concerned with the solution of the more practical problems related to the social and economic well-being of our area. The CONFERENCE will bring together all those people interested in planning for the area. It is designed to set a pattern for future cooperative efforts among local government officials, builders, realtors, industrialists, developers, and interested citizens.

The theme of this year's CONFERENCE will relate around the general problem of housing and its importance if older communities as Wyoming Valley are to attract new industries.

DOES WYOMING VALLEY HAVE A HOUSING PROBLEM: FACT OR MYTH?

The registration fee for the CONFERENCE is \$5.00. This will entitle the registrants to luncheon, cocktails, dinner, and a copy of the proceedings. We sincerely hope that you will attend, and that you will also urge interested citizens in joining with you in taking advantage of this opportunity.

MARK THIS DATE ON YOUR CALENDAR. DON'T MISS THIS IMPORTANT MEETING!

### DELINQUENT TAXES

A total of \$96,350 in delinquent taxes for the years 1962 and 1963 was collected during the month of June by the Luzerne County Treasurer. School districts and municipalities will benefit the most from this delinquent tax collection--\$45,208 for school districts and \$17,209 for municipalities.

The largest single check will go to Hazleton school district in the amount of \$6,291.

Three municipalities and their school districts will receive nothing in this description inasmuch as no tax delinquencies were forthcoming from the three--Conyngham Township, Jeddo Borough, and Yatesville Borough. The smallest amount(\$.33) will go to Nescopeck Township.

The Boroughs receiving the largest distributions are the following: Kingston, Edwardsville, Freeland, Larksville, and Swoyerville.

### POLLUTION OF GROUND WATER

Each person in the United States produces, on the average, four pounds of refuse every day. This means that every day the urban population produces over 400 million pounds of refuse which must be disposed of. Refuse includes garbage, rubbish, ashes, street refuse, and solid industrial wastes. When refuse is deposited on top of the ground the potential effect on ground water may be considerable. Ground water is polluted by removal from the refuse of the soluble minerals by percolating waters (leaching) and for leaching to occur these basic conditions must exist: 1) the refuse must be deposited in or near a water-bearing rock formation, 2) the refuse must be completely soaked (supersaturated), and 3) fluids removed by solution from the refuse must be able to enter the water-bearing rock. The coexistence of conditions 1 and 3 can be prevented by careful site selection. Condition 2 is more likely to occur in open dumps than in sanitary land fill, but if the site is in intermittent or continuous contact with ground water, it will make the ground water in the vicinity unfit for domestic or irrigational use.

### FLUORESCENT LAMPS

City Purchasing Agent, Russell Petreat of Green Bay, Wisconsin, has sent to the Institute the first issue of a new publication titled RESEARCH NOTES, published by the Office of Buildings Management, Public Buildings Service, General Services Administration, Washington

25, D. C. The new publication offers the following interesting comments concerning the use of fluorescent lights:

Sometimes, turning off your fluorescent light costs more than leaving them burning. Studies conducted by the Research Division have shown that each time a fluorescent lamp is turned off and then on again, between 12 and 13 hours of useful lamp life are expended. A little calculation will show that in areas where turnoffs are frequent, added lamp replacement costs exceed the cost of the electrical energy saved. Actually, the lamp life loss resulting from one complete on-off switching cycle would buy about four hours worth of electrical energy. Intermittently occupied areas may require 8 to 10 turnoffs a day. Each turn-off would buy 4 more hours worth of electrical energy. For this reason, a program encouraging occupants not to turn off their fluorescent lamps produces long-run economies of operation. These economies are based entirely upon added lamp life and do not include the extra benefits of less frequent replacement periods and better lighting levels over longer periods of time.

We must emphasize, however, that this procedure applies only to fluorescent lamps. Incandescent lamps, if operated in this manner, would cost a great deal more. Many pieces of electrical equipment operating for only a few minutes will consume enough electrical energy to light an office for two or three days.

### FIREMEN'S RELIEF ASSOCIATION V. HANLON

Municipalities--Paid Fire Department--"Replacement" of Volunteer Fire Companies--Share of Foreign Fire Insurance Tax Moneys.

The law provides that no municipality may replace a volunteer fire company except after a favorable referendum. For many years, paid firemen and volunteer firemen were both used by a city. The city then enacted an ordinance "dispensing with the services of the volunteer fire company" and claimed that action did not "replace" the volunteer fire company since the paid fire department was already in existence. The city further turned over all of the foreign fire insurance tax moneys received from the State to the relief association of the paid firemen.

The Supreme Court of Pennsylvania ruled that the effect of the ordinance was originally to "replace" the volunteer firemen with a paid department and was, therefore, unlawful and invalid since no referendum had been held.

Furthermore, there was ample evidence that the volunteer fire-

men actually rendered service to the City in fighting fires, thus their relief fund association was entitled to half of the City's allocation from the foreign fire insurance tax fund.

#### CHARTIERS TOWNSHIP APPEAL--1963

Boroughs--Annexation--Portion of Second Class Township--Report of Fact-Finding Commission--Discretion of Court.

Despite a report of a fact-finding commission, appointed under the Act of 1953 P. L. 550, recommending that a petition for annexation of a portion of a second class township to a borough be denied, a lower court confirmed its previous order approving the annexation, stating that "this court is powerless to withhold its approval where a majority of the persons involved have expressed their desire to be annexed to the Borough."

The Supreme Court of Pennsylvania reversed the order of the lower court and remanded the matter to it for further consideration, pointing out that an order of annexation, based solely on the fact that a majority of the freeholders in the area proposed to be annexed desire such annexation, is erroneous. The intent of the law is that there be an initial determination by the court, interlocutory in nature, of the legality and propriety of the annexation, and a final determination of the legality and propriety of the annexation on the basis of all the facts then before the court.

#### THOUGHTS FOR TODAY

It is better to give than receive--and also it's deductible.

The only thing people learn from experience is that they've made another mistake.

Raising children is like drafting a blueprint--you have to know where to draw the line.

#### PUBLICATION

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## *The Luzerne County News-letter*

VOL. XIII, NO. 9 WILKES COLLEGE, WILKES-BARRE, PA., SEPTEMBER 15, 1964

#### FOURTH ANNUAL COMMUNITY GROWTH CONFERENCE

The Fourth Annual Community Growth Conference will be held at Wilkes College on Wednesday, September 30, 1964.

The theme of this year's CONFERENCE will relate around the general problem of housing and its importance if older communities as Wyoming Valley are to attract new industries. DOES WYOMING VALLEY HAVE A HOUSING PROBLEM: FACT OR MYTH?

MARK SEPTEMBER 30 ON YOUR CALENDAR. DON'T MISS THIS IMPORTANT MEETING!

#### SHORT COURSES

The Institute of Municipal Government will again conduct a number of in-service training courses for municipal officials. These courses are designed to make available to elected and appointed officials the means of improving the performance of their duties. The courses are presented in cooperation with the Public Service Institute, Department of Public Instruction, Commonwealth of Pennsylvania.

The courses being offered this fall semester include: Magistrates Course, a general review of the fundamentals of civil law required by magistrates and the proper operation of their office; Community Planning, a survey course concerning the fundamentals of planning, designed for planning commissioners, council members, and interested laymen; Hydraulics, a general course for firemen, reviewing the generating of water pressure, pressure control, and the equipment necessary for such service; Assessment Problems, an advanced course for assessors, discussing specialized problems common to the administration of municipal assessment; Fundamentals of Fire Fighting, a course designed for those firemen who wish to qualify as instructors on the fundamentals of fire fighting.

#### POLICE PROBLEMS

Daily, I receive letters from citizens, wanting to know why the Police Department isn't addressing itself to the many ills of law en-

forcement that need correction in Chicago. Why wasn't a policeman in the park last week when my sister was assaulted? Why do the police permit well-known gangsters to roam our streets? Why do the police not punish criminals caught in the act? Why, in Heaven's name, don't the police do something about crime? Every police officer recognizes these and similar questions, because he himself has been asked them by angry citizens.

The questions themselves arise out of a misconception. Most citizens of Chicago (and elsewhere too, for that matter) do not realize that, contrary to popular belief, a police agency in our country operates under very strict limitations. Some of these restrictions are written into the Constitution itself. Others are part of the checks and balances built into our system of criminal justice. Still others have been imposed through Supreme Court interpretation.

Citizens who raise these questions are well intentioned. We, as police officers, have an obligation to help them understand the problems facing the police. Below are some of the answers we give to the persistent questions we are asked:

1. **THE POLICE DO NOT MANUFACTURE CRIME.** Crime in a community is caused by a variety of factors - varying from the mental or emotional state of a given individual to poor housing, poverty, unemployment, lack of education and other environmental conditions over which the police have no control.

2. **THE POLICE CANNOT BE EVERYWHERE ALL OF THE TIME.** The police do not have enough funds and personnel to place a police officer wherever a crime may occur in order to prevent that crime from occurring. We undertake to deploy our manpower in locations where crimes are most likely to occur and during the hours when they are most likely to be committed.

3. **ALL CRIMES CANNOT BE PREVENTED.** Many crimes occur in private premises and originate in the back reaches of a person's mind and are the result of a sudden impulse. No amount of police protection can prevent such crimes.

4. **THE POLICE FUNCTION UNDER LIMITED AUTHORITY.** Every day, the police are urged to do things which we are without authority to do. Under our democratic form of government, citizens are not subject to strict control as to their movements and actions; their privacy is secure. They cannot be taken into custody without legal

cause, nor can they be searched unless there is a basis for arrest.

5. **PERSONS ACCUSED OF CRIMES ARE GUARANTEED CERTAIN RIGHTS.** We cannot take action against a person unless the activity complained of is, in fact, defined as being criminal by federal law or the laws of either our state or city. The police cannot arrest individuals without an adequate basis for arrest. A person accused of a crime has a constitutional right to bail. The U. S. Supreme Court most recently held that a confession obtained by the police prior to the time the alleged offender is allowed to confer with counsel cannot be used in the prosecution.

6. **ALL CRIMINALS CANNOT BE PROSECUTED.** The police are aware of many individuals who we have a strong basis for believing are actively engaged in criminal activity or are profiting from such activities. The techniques by which they operate, however, prevent us from obtaining the evidence which we need with which to arrest and prosecute them. Many, for example, carry on their criminal activities over the telephone. We are prohibited, by law, from listening into telephone conversations.

7. **THE POLICE DO NOT PUNISH PEOPLE.** It is the function of the police to apprehend criminals and charge them with the crimes they committed. It is the function of the State's Attorney to prosecute the alleged criminal and of the Court to judge whether or not the person is guilty. Contrary to frequently expressed views, the police do not have anything to do with deciding whether or not a person is to be convicted, and if so, what punishment is to be meted out. (Editorial, Chicago Police Star, August, 1964).

#### URBAN RENEWAL

After 17 years and \$210 million, urban renewal is paying its way in Chicago. As an added bonus, say city officials, it's bringing suburbanites back to the City at a better than expected pace. By the late 19-40's, Chicago's white citizens--like millions of others throughout the country--were streaming to the suburbs while slums spread in their wake. Assessed tax valuations of real estate and tax revenue were dropping.

The battle to reverse the tide began in 1947 with the Hyde Park-Kenwood Conservation Project, first of its kind in the United States. More than \$36 million in city, state and Federal funds was spent in the next 10 years to build new homes and apartment buildings, renovate old units, and tear down dilapidated ones. Now, 30 projects later, city officials estimate that the developments, which extend into almost every part of the city, eventually will increase the valuation of the involved real estate by more than \$48 million.

D. E. MacKelmann, deputy commissioner of urban renewal, estimated the increase in tax yield at 115 per cent since the urban renewal programs were initiated. The city should be able to pay off the millions invested by 1975, "Don't forget," he said, "the increase includes not only the projects which are developed privately, but also many that do not increase the tax returns, such as parks and playgrounds. Non-profit community works are part of the urban renewal program."

#### COLLECTING METER COINS

Collecting parking meter coins in the City of Memphis maybe handled in the future by a private firm. Estimates were submitted to the city by private firms and it was found that one company quoted a \$1,000 per month minimum charge. The city is now paying more than \$1,200 in salaries to four city employees to make collections, in addition to other costs such as operating a truck and paying office personnel to sort and count coins before depositing them. (Memphis Commercial Appeal, February 19, 1962)

#### IT'S AN OLD, OLD PROBLEM!

"The prophet Isaiah said a long time ago, 'We continue to place house against house and field against field until there is no place in the world to be alone.' From then until now, we have continued so to place and have done little about the resulting confusion."

--Charles A. DeTurk, Director  
California State Department of Parks and Recreation

#### THOUGHTS FOR TODAY

The average fellow is torn between his doctor telling him not to worry and his lawyer outlining all the things he should be worrying about.

Money is the jack of all trades.

#### PUBLICATION

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# *The Luzerne County News-letter*

VOL. XIII, NO. 10 WILKES COLLEGE, WILKES-BARRE, PA., OCTOBER 15, 1964

#### MUNICIPAL NEEDS OF 100 FAMILIES

Citing the rise in population of many boroughs and townships as a result of the "flight to the suburbs," Miss Genevieve Blatt in her Recognition Dinner remarks posed this question to the local government officials: "What does this great increase in population mean to a community like the ones in which you people hold office?"

As an answer to the query she propounded, she quoted from Horizons, a publication sponsored and distributed by the Institutes of Local Government of the University of Pittsburgh, Pennsylvania State University, and the University of Pennsylvania:

"When 100 families move into a medium-large city, what new services will they call for and how much will it all cost?"

"One hundred new families are approximately 450 new people. The children will create a need for 2.2 more grade school rooms and 1.65 high school rooms, which will cost approximately \$120,000. About 50 of the children will be in grammar school, 25 in junior high, and 25 in senior high. Four more school teachers will be needed. In all, the 100 families will add \$30,000 a year to the operating budget of the school system.

"The families will mean more street cleaning, more garbage collecting, and more tax collecting. City parks and city health will need more looking after. The water department will have to pump 10,000 extra gallons of water a day. The city will have to buy approximately four acres of land; one each for grammar school, high school, parks and play areas.

"This will mean hiring more municipal employees. The city will need 0.84 new employees in the police department and two-thirds of a new fireman. Probably four others will have to be added to the city

payroll. The new staff will raise the police budget \$4,510 a year, add \$2,820 to fire department expenses, and boost the general payroll by an amount ranging from \$12,000 to \$15,000.

"Other things which the 100 new families will require include: a new hospital bed (price \$10,000); 500 new books for the library (adding \$675 to the library's annual budget); and a fraction of a cell in the jail."

### PROJECT 70

On November 5, 1963, the voters of Pennsylvania approved a \$70,000,000 bond issue to provide funds to acquire land and water sites for recreation, conservation, and historical purposes. And just last month, the legislature approved the enabling legislation which will make Project 70 a reality.

These sites could include any use of land for public park, fishing, hunting, boating, open space, scenic or historical purposes, or for any related public out-door recreation project.

The objective of this imaginative program is to preserve the state's scenic and recreation areas before they are permanently lost to competing land-use. The present pattern of urban growth and development appears to be accelerating at the expected rate. For example, in one rapidly urbanizing county, if the present rate of consumption of open land continues for two more decades (160-200 acres per 1,000 new residents), the entire county will be covered by urban sprawl, and all the desirable tracts of open land will have vanished.

With these problems in mind, the state's planners conceived the Project 70 proposal to expend the \$70,000,000 by 1970.

A sum of \$40,000,000 will be allocated out of Project 70 funds for acquisition of state land for future development of regional parks and reservoir sites.

A sum of \$10,000,000 will be made available by Project 70 to provide new fish and wildlife preserves and more access to our rivers, thus better accommodating Pennsylvania fishermen and hunters.

The remaining apportionment of Project 70 is in the sum of \$20,000,000 to be allocated to all political subdivisions in the Commonwealth. Any county, city, borough, town, or township, or a legally constituted municipal authority organized for park and recreation purposes,

will be eligible for a grant of fifty percent of the cost of the land for a recreation, conservation, or historical project. The Department of Commerce, Bureau of Community Development, will be authorized to administer this portion of Project 70.

Land could be acquired for smaller parks and playfields close to residential areas where they could be used on a day-to-day basis. Facilities would be designed for active and passive leisure time activities to meet the needs of all age groups in a municipality. More space would be provided for adequate picnic areas, swimming pools, tennis courts, ball fields, apparatus facilities, or outdoor education areas. Whatever the recreation facility needs of the community may be, a Project 70 grant would provide financial assistance only for land acquisition. The development of recreation facilities would be a local financial responsibility.

In addition to projects for park and recreation purposes, a community could acquire stream valleys, forest land, watershed areas, and scenic areas for conservation purposes.

Historic and cultural sites could also be secured. Project 70 would help make possible the preservation of those areas now in existence and point the way toward restoration of many sites which have fallen by the wayside or are in danger of being lost forever.

Counties and municipalities should immediately make preparations which will enable them to take advantage of the Project 70 program. Actions which should be undertaken by public officials and citizens without delay include the following:

1. Develop an overall plan and policy concerning the acquisition of land for recreation, conservation, or historical purposes.
2. A municipality should consider the political jurisdiction which could most appropriately acquire the site. A playlot, neighborhood park or community park could best be acquired by a group of municipalities or a county. Intermunicipal cooperation would certainly be an asset for many proposed land acquisition projects.
3. A municipality should study the means of acquiring the site or preserving open space.
4. A preliminary investigation to determine the cost of acquiring a site should be considered.



5. A municipality should determine the most feasible method of financing the purchase price of the site. A Project 70 grant could finance fifty percent of the cost. An additional grant of twenty or thirty percent could be obtained from the Federal government under the Open Space Land Program administered by the Housing and Home Finance Agency.

The balance must be raised from local sources. Local funds may be obtained from donations, the general operating budget for a municipality, a capital reserve fund, the issue of general obligation bonds, the issue of municipal authority bonds, or possibly a short-term bank note financing program.

6. The municipality should determine the administrative agency or agencies which will be responsible for developing, supervising, and maintaining the proposed recreating, conservation, or historical project to be acquired.

If a county or municipality takes the foregoing steps, it will be in a better position to take full advantage of the Project 70 Assistance Program.

#### SHADES OF LONG AGO

According to an item in the April 18, 1914 Wilkes-Barre Record, Wilkes-Barre has had a Planning Commission for more than 50 years. On that date the following were unanimously confirmed by the City Council to serve on the Commission: J. C. Bridgman, A. C. Campbell, F. G. Darte, H. S. Smith, and J. A. Hourigan.

#### THOUGHTS FOR TODAY

Seems there's one advantage of being old--you can whistle while brushing your teeth.

Vacation--Three weeks on the sands; the rest of the year on the rocks.

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# *The Luzerne County News-letter*

VOL. XIII, NO. 11 WILKES COLLEGE, WILKES-BARRE, PA., NOVEMBER 15, 1964

## REDEVELOPMENT PROJECTS

Wilkes-Barre with its six urban renewal projects totalling more than twelve million dollars, has made giant strides since the Redevelopment Authority established an office four years ago. Of these six projects, including the State Street General Renewal Plan, five are in the execution stage.

HAZLE STREET, the first project, consisting of approximately 38 acres, is being developed for commercial and industrial reuse. A million dollar post office and a million and one-half dollar Acme Service Center covering a tract of 12 acres, are two of the commercial structures which will be built on South Main Street. A convent bordering the future Pennsylvania Boulevard, was constructed by the first redeveloper. An attractive manufacturing plant, built by the second redeveloper in the Hazle Street Project Area is now in operation. Another industrial plant, adjacent to the latter, is now under construction.

The LINCOLN STREET PROJECT area, consisting of approximately 19 acres, was designated by the recently established City Housing Authority as the site for the 400 low-income homes. This redevelopment area was selected due to its proximity to central city, schools, churches, transportation facilities and commercial establishments. The project will consist of 200 units for the elderly and 200 units for families. There will be a variety of one, two, three and four bedroom dwellings. The Redevelopment Authority will develop a new street to take the place of Lincoln Street between the project and the railroad, thus creating the necessary buffer between these areas.

The DYER LANE PROJECT, approximately 2 acres, surrounds the municipal garage which was constructed by the Parking Authority on land sold by the Redevelopment Authority. It is a major step in the modernization and rehabilitation of Wilkes-Barre's Central Business District. The creation of a mall behind the buildings which face South Main and South Washington Streets will be attractively accessible also from the upper side exit of the Park and Lock Garage. Not only will this project beautify, speed shoppers flow from off-street parking facilities,

and solve delivery problems for the businesses in the area, but it will end fire-fighting hazards by making Dyer Lane readily accessible to the fire apparatus of all sizes, as well as other emergency equipment. The adoption of this area for an urban renewal project has been received by the South Main Street merchants with enthusiasm and it is expected that the rehabilitation of the area will be made with the consulting assistance of the Redevelopment Authority.

The WRIGHT STREET PROJECT, approximately 3 acres, will permit Wilkes College to expand its educational facilities and to increase enrollment by 250. A cafeteria to accommodate 400 students and a 250 unit dormitory will be constructed.

The KING'S COLLEGE PROJECT, approximately 9 acres, is the first step in a three million dollar expansion program by the college. A dormitory, student center and a gymnasium will be constructed.

The STATE STREET GENERAL NEIGHBORHOOD RENEWAL AREA, about 60 acres in size, is strategically located between the Dyer Lane and King's College Projects to the north, the Lincoln Street Project to the south and the Hazle Street Project to the west. It is predominantly nonresidential in character and its location permits the area to be redeveloped for a combination of parking, commercial, public and traffic improvement. It will combine conservation and rehabilitation and will be carried out in four stages or projects over an eight-year period. Project No. 1, consisting of about 38 acres, has just been approved.

The INDUSTRIAL PARK URBAN RENEWAL PROJECT has not been included in Wilkes-Barre's six projects because it is in the planning stage. It covers an area of 220 acres and encompasses almost the entire railroad belt which traverses the City. Approximately seven years will elapse before all the land is under redevelopment. Two years of this time will be spent to conduct the necessary studies and to prepare the necessary plans.

#### WYOMING VALLEY SANITARY AUTHORITY

The engineering firm of Albright and Friel, Inc. has completed approximately 30% of the work entailed in the preliminary planning contract of \$176,000. All of the aerial photography for the interceptor lines, 50% of the preliminary layout study in connection with the sewer and force mains, and 40% of the study plans and profiles have been completed. The engineers are presently working on the development of the design for the hydraulics, and the pump and lift stations.

It is expected that the preliminary planning report will be completed by the end of February. Monthly progress reports are made by engineers to the Engineering Committee of the WVSA, which reports to the full Authority at its regular monthly meeting. The engineering firm is located locally at 308 Wyoming Avenue, Kingston.

#### NEW BUILDING

Ground was broken for a new \$157,000 municipal building for Plains Township to be erected on the site of the former North Main Street School. The federal government will provide \$90,060 or 58% toward the construction costs. Land on which the building will be constructed was purchased for \$1 from the Plains Township School Board. It is expected that the building will be ready for use in 1965.

#### JOINT LIBRARY

Four West Side Communities have agreed to participate in a 21-month library demonstration program to be conducted with the Hoyt Library in Kingston. The program is aimed at demonstrating to Courtdale, Edwardsville, Luzerne and Pringle that library service can be permitted to use the library facilities free for 21 months at the end of which time the four towns may agree to continue at the rate of 30 cents per person based on the 1960 census.

#### LAFLIN

Laflin Borough Council is among the municipal legislative bodies which must study new assessment figures and compute a new tax rate for 1965. But Laflin councilmen aren't too concerned. The town operates on only \$912 a year. For 1964, a tax levy of 7 mills was required to raise that much revenue. A levy of 2.76 mills should work out well for 1965.

#### AUTHORITY-OWNED BUILDINGS

The Borough of West View in Allegheny County established an Authority in 1942 to acquire the property and assets of a private water company. In 1949 the Borough passed an ordinance empowering the Authority to acquire, improve and operate, either by lessor or lessee, a building on specified lots.

A building, in part a one-story and in part a two-story building, was constructed. Part of the building was used by the Authority for its water project, and part was leased by the Authority to private enterprises.

The rest of the building was leased to the Borough, which in turn leased a part to commercial enterprises. The entire second story, which was leased to the Borough, was rented to private groups for social functions and was used rent free by such "public groups" as Firemen's Associations and the Chamber of Commerce.

The problem which arose from this set of circumstances and which was settled in West View Municipal Authority Appeal, 381 Pa. 416 (1955), was whether this Authority property was exempt from taxation in whole or in part.

It is the purpose for which property is used and not the nature of its owner that determines the tax exemption status of the property. It was held, therefore, that where public property is devoted partly to public and partly to commercial uses, it may be divided for tax purposes by taxing the part used by private business and exempting the part devoted to a public purpose.

#### FINANCE AND TAXATION

Completed urban renewal projects increase tax revenues "an average of 300 per cent," says David M. Walker, commissioner, Urban Renewal Administration. He called higher tax revenue and improved physical plant a means of achieving the goal of "social and spiritual advancement--better environment for living and working." (Texas Town & City, July 1960).

Depressed expressways cause less drop in adjacent property values than do those built on an elevated roadway. (Bulletin, December, 1959).

#### THOUGHTS FOR TODAY

There are two kinds of people that cannot be trusted: those who speak badly about everyone and those who speak well about everyone.

When a woman lets the cat out of the bag, somebody's apt to get clawed.

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# *The Luzerne County News-letter*

VOL. XIII, NO. 12 WILKES COLLEGE, WILKES-BARRE, PA., DECEMBER 15, 1964

#### WYOMING VALLEY SANITARY AUTHORITY

The bi-monthly meeting of local governmental officials will be held on January 18, 1965 at the Wilkes College Commons. The topic for this evening will be a discussion of the progress that has been made by the Wyoming Valley Sanitary Authority.

This Authority which is composed of 14 municipalities in the Wyoming Valley area stands as an example of progress that can be made through functional cooperation. The Chairman of the Authority, Mr. Reuben Levy, will present the progress report and will discuss the accomplishments to date and the anticipated time table for completion of this cooperative venture. This is a meeting that should be of interest not only to the officials of the cooperating municipalities but it is also open to all interested citizens who would like to keep informed as to the remarkable progress of the Authority.

#### CLEAN UP-PAINT UP-FIX UP

Because of the response by some 25 representative organizations to the remarks made by Mr. Richard H. Hackendahl at the previous bi-monthly meeting of municipal officials, a steering committee will meet to evaluate and discuss the role that organizations and municipalities will play in the Spring campaign. These representatives will discuss the participation, timing and goals of a continuing organization which will be designed to upgrade the appearance of the Wyoming Valley area. The response of the individuals at the last meeting emphasizes the fact that "paint up, clean up, fix up" is not simply a once a year campaign but that it is a continuing program. The Area Appearance Committee of the Greater Wilkes-Barre Chamber of Commerce is very much interested in having not only municipalities but also citizens groups participate in this program on a continuing basis.

## HAZLETON

As part of the 1965 budget, Hazleton City will levy a \$10 occupational privilege tax. This new tax which will be paid by all persons gainfully employed in Hazleton is expected to raise upwards of \$80,000 and will be used to offset a \$400,000 deficit in the budget. It will also be used to provide wage increases for the City's 140 employees.

## COMMUNITY PARK

The purchase of Community Park from the Glen Alden Company for \$4,650 was approved by the Plymouth Borough Council. This plot of land of 65 acres has been acquired for recreational purposes. It is expected that it will be part of a planned recreational area under Project 70. There still remains 33 acres in the Borough that can be acquired for recreational purposes.

## TAX COLLECTIONS

The Luzerne County Commissioners have adopted a new tax collection program. Under the program the County will bill and collect its and the Institution district's taxes early in the year to eliminate past practice of borrowing against current tax collections. Municipal tax collectors will still get their commissions for collecting the County and Institution district taxes, but they will not have to prepare the bills. The County is using its new data processing center. The step is intended to save the tax collectors time and postage in the preparation of separate bills. It has been the common practice for collectors to group all tax bills on one card and then mail the card to the property owners in the towns. The County program is based on the belief that most property owners would rather divide their tax bills for the year.

## PRINCIPLES OF DOWNTOWN IMPROVEMENT

Three principles to guide central city development based on Denver's experience over the past 10 years were presented to a national seminar on downtown revitalization held there by Urban Land Institute's Central City Council recently.

Walter K. Koch, president of the Mountain States Telephone Company, told planners, developers, real estate experts and investors attending the conference from throughout the United States that the extensive development which has taken place in downtown Denver depended upon these principles:

1. "Growth requires a broad viewpoint." Mr. Koch pointed out that "downtown Denver is dependent for its dynamism upon a healthy metropolitan area, an economically successful state, and influential business ties throughout a wide region of the nation." He said successful promotion of downtown development must be coordinated with successful promotion of the metropolitan and regional economic complex.

2. "There must be continual communication and coordination between many and diverse organizations, and between government and citizen efforts." The coordinated efforts of the Downtown Denver Improvement Association, Downtown Denver Master Plan Committee, and Chamber of Commerce in concert with some 40 other public and private agencies were cited by Mr. Koch as instrumental in creating a healthy climate for new investment in Denver's central core.

3. "Redevelopment of a city is a never-ending task." Mr. Koch cautioned civic and business leaders to maintain constant vigilance over the health of downtown.

"The nature of American life is changing rapidly, and the cities of America are swept along on this wave of change. In planning our cities, we try to be farsighted and intuitive of the future, but the horizon of our imaginations is much too near. So, our planning had to be flexible, our analysis continual, and our work unceasing," Mr. Koch concluded.

Illustrating the effect of concentrated planning for downtown improvement, Mr. Koch said the Mountain States Telephone Company decision to remain in its downtown location and undertake a building program that will total \$15 million, was made largely on the basis of the work being done by the Downtown Denver Improvement Association and individual leaders in the revitalization effort.

Nearly 10 years ago the Council made a panel study of downtown Denver problems which helped set the stage for the extensive new development of recent years. An evaluation of Denver progress by the Council and a series of proposals for the future climaxed the three-day session. (Urban Land, Vol. 23, Number 10 - November, 1964)

## JOHN T. MULHALL

Attorney John T. Mulhall died suddenly of a heart attack on October 24, 1964. Mr. Mulhall was the Solicitor for West Pittston Borough and an active member of the Luzerne County Boroughs Association from the time of its formation. He was Solicitor to the county association since 1952. Mr. Mulhall was also the Vice-Chairman of the Wyoming Valley Sanitary Authority, representing the Borough of West Pittston on the Authority.

### FRENCH vs. ZONING BOARD OF ADJUSTMENT

The 1933 Philadelphia Zoning Ordinance designated as residential a ten-block area of the City. Within the otherwise residential zone were six existing, scattered, business properties. These were classified commercial. One of the commercial properties was used prior to the passage of the zoning ordinance, and thereafter, for the purpose of storing taxicabs. Recently a permit was granted for its use as a super-market. A neighborhood association objected, contending that the six commercial enclaves constituted spot-zoning. The objectors took the position that these parcels were, in reality, nonconforming uses. They argued that with the termination of the garage use on the property in issue, its status as a nonconformity ceased, and that it can now only be used for residential purposes.

The Supreme Court agreed that the action of the City in Zoning the six commercial parcels constituted spot-zoning, holding that: "The property in question must be treated as containing a nonconforming use and not as (a commercial) Parcel."

Contributor's Comment: It should be noted that the Court's decision hinged solely on the question of spot zoning. It stated no conclusions with respect to the objectors' argument that the garage property lost its original use. This issue will only be decided when an application is made to occupy the garage premises for another nonconforming purpose.

### THOUGHTS FOR TODAY

Actress: I didn't want to marry him for his money, but there wasn't any other way to get it.

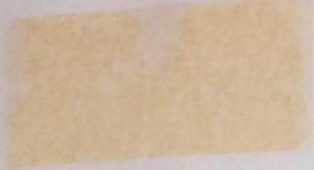
Disarmament will hurt heavy industry? --Not nearly as much as it will hurt the toy manufacturers.

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CHRISTMAS GREETINGS



Wilkes College Library

Wilkes College Library



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