

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, February 20, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Tuesday, February 20, 2018, at the Ferguson Township Municipal Building. In attendance were:

Board:	Peter Buckland	Staff:	Dave Pribulka, Township Manager
	Steve Miller		Dave Modricker, Public Works Director
	Laura Dininni		Ray Stolinas, Director of Planning & Zoning
	Sara Carlson		Chris Albright, Chief of Police
	Tony Ricciardi		Eric Endresen, Finance Director
			Lindsay Schoch, Community Planner

Others in attendance included: Faith Norris, Recording Secretary; Susan Werner - Schlow Library; Tom Zurat, P.E. - PennDOT; Brandi Robinson - Climate Action Committee; Ron Seybert, Township Engineer.; Todd Giddings; Tom Zilla-PaDOT; Jason Little, State College Area School District; Steve Watson, Penn State, Rhonda Stern; Robert McCauley, George Wick; N. Hite; Steven Watson; Bill Keough

II. CALL TO ORDER

Mr. Buckland called the Tuesday, February 20, 2018, regular meeting to order at 7:00 p.m. Mr. Buckland stated an executive session was held on February 5th on a legal matter.

III. CITIZENS INPUT – None were noted.

IV. SPECIAL REPORTS

a. Schlow Centre Region Library – Susan Werner

Ms. Werner presented a library report that included a Facility Study report, long range Capital Improvement Plan, budget update, remote book drop update, and Schlow Foundation update.

Mr. Buckland inquired further with the Board of Supervisors about federal budgeting support efforts. The Manager will draft a letter of support for local library funding.

b. Traffic Signal Report – W. College Ave./Shingletown Rd. – Tom Zurat

Mr. Zurat presented an update on the intersection analysis of Route 45 and Route 26. Discussion followed. Mr. Miller inquired about a future bike lane. Details on lane setup, amount of land taken from private land owners, peak traffic times, standard signal costs that PennDOT bears vs. costs above standard signal cost that the Township would bear, type of lights, space for certain types of signs and sight triangles.

Mr. Giddings noted an environmental opportunity for conceptual specialized management features/practices as it relates to sourcewater protection. He further discussed the adjacent well fields and concern for contamination from spills.

Discussion continued regarding concerns of a property owner that owns a large amount of acreage surrounding the site for construction. Discussion followed on access to multiple locations prior to the design phase, costs, solar options and timeframe for construction. Mr. Pribulka clarified that the project is being considered for inclusion on the 4-year Transportation Improvement Plan. Further details followed on the timeline. Mr. Pribulka clarified language needed to draft the letter to

PennDOT that concurs with Alternative #2 for the design plan. Some additional language included specialized management practices, road and bridge width to accommodate bicycle lanes, signage and possible solar options for the traffic signal.

Ms. Dininni discussed CCMPO transportation and noted that she is the Board's representative on the CCMPO. Preliminary design discussion.

c. Climate Action Committee Report

Mr. Pribulka presented some history on Climate Action that brought about establishing the five-member ad hoc board. The Township adopted a resolution in 2017 to achieve net zero greenhouse gas emissions as quickly as feasible, but no later than 2050 and to commit to achieving the reductions' target in a manner that is economically feasible, transparent and fair.

Ms. Robinson presented an overview of the board and goals/mission to achieve net-climate neutral. Specific discussion followed on what options were evaluated for a comprehensive greenhouse gas emissions inventory, best tools for a robust inventory, quality of data available, details on member access to emissions inventory software, and access to other townships to compare work and training resources. Ms. Robinson encouraged anyone in the Township that has a personal interest in the climate initiative to get involved.

Ms. Dininni asked for clarification that ICLEI is a network of *Local Governments for Sustainability*.

d. Stormwater Management Presentation

Mr. Seybert presented on the Township's Stormwater Management Program. This is a requirement of the Phase II Municipal Separate Storm Sewer System Permit held by the Township. Discussion followed on the differences between the Stormwater Management Program and the Stormwater Management Ordinance # 1018. The program was included in the agenda. Each of the six Minimum Control Measures were reviewed. The Chesapeake Bay Pollutant Reduction Plan (CBPRP) was discussed.

Mr. Buckland inquired about public education and whether the Township has written anything about the Spring Creek Watershed Atlas Project. Mr. Seybert responded no. Ms. Dininni inquired about tracking data on rain barrel workshops and other possible options for public education and participation. Current MS4 partners were discussed. A suggestion was made to work with Homeowners' Associations for planting rain gardens and other stormwater improvements.

Watershed Cleanup Day is April 21, 2018, 8:00 a.m. – Noon. Noted, the *Clearwater Conservancy* has a website where anyone can sign-up to participate in *CleanUp Day* events.

Mr. Buckland called for a five-minute recess.

V. MINUTES

Ms. Dininni made a motion that the Board of Supervisors approve the February 5, 2018, regular meeting minutes. Mr. Ricciardi seconded the motion. The motion passed unanimously.

VI. UNFINISHED BUSINESS

a. Public Hearing on a Conditional Use Application for Tax Parcel 24-002a,013-,0000- located at 120 North Buckhout Street – Penn State University

Mr. Buckland handed the meeting over to Vice Chair Miller to conduct and recused himself due to a conflict of interest related to his work at the Penn State Sustainability Institute and the Corl Street

Elementary School Project. Mr. Pribulka presented a history of the request and Mr. Stolinas detailed additional conditions that included the buffer footage and locking of gate. Mr. Pribulka noted the reason for this application appearing before the Board as a conditional use in the Terraced Streetscape District (TSD).

Ms. Stern inquired about weekend use, the purpose of zoning and concern on how it affects the neighborhood. Mr. Stolinas responded to the inquiry on the use of the lot and timeframes and noted her concerns about access time can be put before the Board. Mr. Little reviewed the general proposal overview and need for property laydown use on Osmond and Corl streets. Discussion followed on buffer requirements and the fence construction.

Mr. Ricciardi made a motion that the Board of Supervisors **approve** the conditional use application for 120 North Buckhout Street subject to the conditions outlined in the Director of Planning & Zoning memorandum dated February 14, 2018. Mr. Miller seconded the motion.

Mr. Ricciardi asked if no weekend use can be added to the conditions. Mr. Stolinas stated it can be included in the letter. Discussion followed on what was recommended by the Planning Commission.

Mr. Ricciardi made a motion that the Board of Supervisors **deny** weekend use of the lot at 120 North Buckhout Street. Ms. Dininni seconded the motion. The motion passed unanimously.

Discussion followed on the original motion and the 80ft. vs 100ft. buffer with a discernable boundary. Mr. Pribulka noted direction was needed by the Board on this setback condition. Discussion followed on setback conditions.

Ms. Dininni made a motion that the Board of Supervisors **amend** items on the memorandum dated February 14, 2018, to change to 100-foot buffer and to remove concrete curbs and keep fence and add six foot. Ms. Carlson seconded the motion. Discussion followed on minimum lot sizes and requirements in the TSD. The conditional use location meets the minimum lot size. The motion passed unanimously.

Discussion followed on securing the gate and it was noted there are multiple contractors outside of Ferguson Township using the lot in the daisy chain system and the gate is within the State College Borough boundary. There was concern that the gate would be unlocked for extended periods of time and discussion followed on a solution. Mr. Watson noted a nominal fee is charged for occupants using the lot from the Borough. Details followed on lease agreement permissions vs. approval for conditional use. Discussion followed on concerns on the type of use for the lot, the permitting, its parameters and future use. Mr. Watson briefly discussed the West Campus Master Plan for structured parking and roadway improvements that may allow connections from West Campus to West College Avenue. Discussion followed on stormwater landscaping and stormwater runoff.

A citizen voiced her concern about the gate being locked and further discussed ways to work into the rental contract a clause that states to make sure the gate was locked.

Ms. Dininni made a motion that the Board of Supervisors **remove** the words *regularly and unlocking the gate* and add locking at 7:00 p.m. on workdays. Ms. Carlson seconded the motion. The motion passed unanimously.

Roll call vote on original motion: Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES. Motion carried 4-0.

Meeting was turned back over to the Chair, Mr. Buckland.

b. Discussion of Potential Amendments to the Ferguson Township Administrative Code

Mr. Pribulka presented a detailed overview and noted this is a follow-up from the February 5th regular meeting. Mr. Pribulka noted a recommended change for the motion is to authorize advertising on March 19th instead of March 5th to allow the Solicitor adequate time to review the amendment and for the Township to meet the advertising requirements.

Ms. Dininni made a motion that the Board of Supervisors **authorize** for public hearing an amendment to Chapter 1, Administration and Government of the Ferguson Township Code of Ordinances on March 19, 2018. Mr. Ricciardi seconded the motion.

Discussion followed on the suggested amended changes.

The motion passed unanimously.

c. Appointments to the Sourcewater Protection Overlay District Ad Hoc Board

Mr. Pribulka presented an overview of the overlay district ordinance. The list of recommended appointments was reviewed. Discussion followed on reconstitution and makeup based on individual supervisors' objections prior to proceeding with a motion. Discussion followed on the diversity/gender balance of the group, environmental interests and the makeup of the candidate list.

Following discussion, the Board consensus was to have staff reach out to interested parties that have a stake or social aspect in the Sourcewater district's outcome and not necessarily the expertise and environmental organizations, i.e., National Wildlife Federation. Noted, potential stakeholder candidates can be from outside of Ferguson Township that are conducting business or own land in the Township. For transparency Mr. Buckland noted his involvement with Trout Unlimited and Sierra Club and Ms. Dininni noted she will be joining the Nittany Valley Environmental Coalition.

VII. NEW BUSINESS

a. Consent Agenda

Voucher Report – January 2018

Ms. Dininni made a motion that the Board of Supervisors **approve** the Consent Agenda. Ms. Carlson seconded the motion. The motion passed unanimously.

b. Authorization of Public Hearings on 2017 And 2018 Annual Operating Budget Amendments

Mr. Pribulka introduced the public hearing and the Home Rule Charter rules. Two draft resolutions were provided with the agenda. Further detail was given on both amendments and how the budget is balanced through its funds. Discussion followed on motion for public hearings.

Ms. Dininni made a motion that the Board of Supervisors **authorize** public hearings on amendments to the Ferguson Township Annual Operating Budget for fiscal years 2017 and 2018. Mr. Miller seconded the motion. Discussion followed on the rate increase in hydrant services. The motion passed unanimously.

c. Park Naming – Owens Drive Park

Mr. Pribulka presented history on the park, criteria and appropriated funds. A copy of the park policy resolution was provided with the agenda.

Ms. Dininni moved that the Board of Supervisors *direct* staff to solicit recommendations for the permanent naming of Owens Drive Park from the Planning Commission, Centre Region Parks and Recreation Authority, FT Parks and Recreation Committee, and public, and present the recommendations to the Board for consideration. Mr. Ricciardi seconded the motion. The motion passed unanimously.

VIII. REPORTS

a. **COG COMMITTEE REPORTS-** agendas provided with the agenda packet

1. Parks & Recreation Regional Comprehensive Plan Steering Committee. Ms. Dininni stated the committee met on Feb 6th. Meeting was devoted to review revisions of the Comprehensive Plan SOW and will continue working on this at next meeting and focus on highest priorities followed by RFP to search for consultants. The next meeting is scheduled for March 13th.
2. Finance Committee. Ms. Dininni attended in Mr. Miller's place on February 8th. Future activities item generated much discussion; new ad hoc building committee update and how it will interact with the Finance Committee; suggested plan on COG finance and how to take a longer-term focus; fire capital budget amendment was added to the meeting to authorize replacement of a rooftop unit. The next meeting has been changed to March 15th.
3. Public Services & Environmental Committee. Mr. Buckland stated the committee met on February 12th. Update on Zero Waste lunches and efforts largely successful within the COG building to reduce waste and maximize the use of composting which is in contract with the State College Borough; extensive items – updated on Act 537 Plan for Penn State to update their wastewater treatment plant; briefly discussed membrane bioreactor special study for Act 537; Kissinger Meadow update; UAJA national pollutant discharge system permit beneficial reuse project update – approval of extension process update. Questions can be directed at Mr. Miller at UAJA or Mr. Swisher at Penn State.

Discussion followed on Class A reclaimed water and beneficial reuse for Penn State. The project discussed in Mr. Buckland's report is a significant upgrade to the treatment facility on University Drive and East College Avenue.

4. Public Safety Committee. Ms. Carlson stated the committee met on February 13th. Year-end report; update on total hours spent on calls - about the same from 2016 to 2017, highlights followed; more blended learning/online modules and fewer on-site training hours; retention and recruitment update - additional stipend approved for volunteer firefighters – using a tiered system; bids for COG administration office space will be in by March 16th and to the General Forum by March 26th if bids received are within the budgeted amount; new software for disaster response initiative that all 32 municipality officials will have access to for emergency response – details to follow.
5. Executive Committee. Ms. Dininni stated the committee met on February 20th. Added two presentations to Monday's General Forum meeting- year-end fire activity report and road and bridge construction in the Centre region; COG disposition of records update; ad hoc COG building committee-details on composition followed; addendum to agenda-consider placing discussion/action on General Forum agenda regarding a draft letter to DEP on a permit for UAJA; HazMat response update - discussion on what Penn State thinks their role should be in HazMat response and whether they should discontinue their provision due to the county being responsible for the HazMat response, details followed. The next meeting is scheduled for March 20th.

b. **OTHER REGIONAL COMMITTEES** – None noted.

c. STAFF REPORTS

1. Township Manager. Report was included with the agenda. Ms. Sowash, Township's Ordinance Officer tendered her resignation effective April 27th and the part-time position has been posted to give time for training. Ms. Sowash is retiring and moving out of the area. A Request-for-Qualifications was issued today for the Township Office Renovation Project and responses are due by March 16th for a contract to award for design services. Parks and Recreation Committee held its Organizational Meeting on February 9th, details followed on appointments and the manager will staff the meetings that will be held on the second Monday of each month at 4:00 p.m. with possible site visits as weather permits. Other items included a letter of appreciation from First Night State College for 2018 ice sculpture; acknowledgement of a 2018 Governor's Award for Local Government of Excellence in fiscal accountability.
2. Planning and Zoning Director. Report, Active Plan list and meeting minutes were included with the agenda. Report from Mr. Seybert on subdivision land development changes to the design standards, EPD presentation on parking and uses in the RA and RR districts. The committee met on February 12th and discussed Thistlewood Lot #7 and 120 Buckhout Street conditional use application, details followed. Zoning and Saldo ordinances are currently being updated and will be meeting on February 21st and tentatively on March 2nd to go through the revisions to both documents.
3. Public Works Director. No written report. Verbal report included: Stormwater Advisory Committee will meet on February 21st at Noon - open to the public; staff will be conducting interviews for two road worker positions; Centre Region Public Works Engineers Group will meet on February 28th and the topic will be Coordinate PA - will have a speaker from PA One Call Systems, details followed; sent notices to residents for the Township's first open house on road projects set for March 5th, 4:00 p.m. – 6:00 p.m.; next consultant meeting on the LEED Gold Public Works Building is on March 13th and noted as of today have received the 60% design plan submission; next Tree Commission Meeting is March 19th at 5:30 p.m.

Ms. Dininni asked if any rules apply at construction sites regarding not putting debris onto the roadway. Mr. Modricker confirmed yes and if it's mud and debris the first call should go to the Ordinance Enforcement Officer. If construction debris, get in touch with Public Works department. Mr. Buckland asked for the 60% design plan update to be shared with the Board at some point and details to follow.

4. Chief of Police. Report included with the agenda. Chief Albright reported compared to January 2017, crimes were down and calls same as last year at this time, details followed on Narcan and medical updates; community event updates – joint child safety seat installation event at Centre Life Link EMS and officers presented Run-Hide-Fight program at a local elementary school.

Discussion followed on the passport scam and update on the parking tickets issued since the snowstorms.

IX. COMMUNICATIONS TO THE BOARD – None were noted.

X. CALENDAR ITEMS – MARCH

Mr. Buckland noted the Spring Creek Watershed Commission meets on February 21st at the Bellefonte Borough Council Chambers.

XI. ADJOURMENT

Mr. Buckland called for adjournment. With no further business to come before the Board of Supervisors, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Pribulka". The signature is stylized and somewhat cursive.

David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 03/05/18