

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, July 2, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, July 2, 2018, at the Ferguson Township Municipal Building. In attendance were:

Board:	Peter Buckland	Staff:	Dave Pribulka, Township Manager
	Steve Miller		Centrice Martin, Assistant to the Manager
	Laura Dininni		Dave Modricker, Public Works Director
	Sara Carlson		Ray Stolinis, Planning & Zoning Director
	Tony Ricciardi		Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Marisa Vicere, Jana Marie Foundation; Tom Zilla, CCMPO; Louwana Oliva, CATA; John Spsychalski, CATA.

II. CALL TO ORDER

Mr. Buckland called the Monday, July 2, 2018, regular meeting to order at 7:00 p.m.

Mr. Buckland stated an executive session was held prior to this meeting on matters of litigation.

III. CITIZENS INPUT - None

IV. SPECIAL REPORTS

a. Centre Area Transportation Authority – John Spsychalski

Presentation included an update on construction activities, changes in circulation for better efficiency, landscaping and security. The projects final construction is set for September. Details followed on additional buses going into service on June 29 from the new indoor bus storage facility. Update on procurement of new busses – delivery of buses will start in December of 2018 and extend to final order in April of 2019. CATA conducted hearings for proposed service changes and had a significant number of respondents that has led to modifications for the initial proposals for service changes. Changes for Ferguson Township are moderate in comparison to other local municipalities-details followed. Highlights were shared from a tri-annual customer survey that rated bus drivers higher in courtesy compared to the prior survey in 2014. Ms. Carlson thanked Mr. Spsychalski for his long-time service and congratulated him for the building named in his honor.

V. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the June 18, Regular Meeting minutes with changes and the June 5 Joint Worksession. Mr. Miller seconded the motion.

Ms. Dininni noted in the regular meeting minutes, page 4 that Mr. Miller asked that item #7 be pulled off the Consent Agenda and then Ms. Dininni made the motion. Mr. Miller noted page 5, 1224 Variance on North Atherton that the Board unanimously passed the second motion and wanted to record it.

The motion passed unanimously.

VI. **UNFINISHED BUSINESS**

- a. Review of Draft Ordinance Amending Chapter One - Code of Ordinances, Admin. & Government
Mr. Pribulka presented the draft ordinance. One item previously discussed was the amount of time the Board has to fill a vacant seat on the Township's Authorities, Boards and Commissions. That item has been removed from the Draft Ordinance. Mr. Pribulka asked for other possible amendments that could be worked in prior to the Public Hearing scheduled for July 16. Ms. Dininni initiated a discussion on submitting agenda items under the section for Citizens Right to Be Heard on submission versus acceptance of items. It was noted that a petition is required to have the Board hold a public hearing and act on an item. With no other comments or additions, Mr. Buckland noted as stated that the Public Hearing will be on July 16.

VII. **NEW BUSINESS**

- a. Consent Agenda
 1. May 2018 Treasurers Report
 2. 2018-C8 Pavement Markings Payment Authorization - \$76,162.70
 3. Gulfstream (Science Park Plaza) Public Improvements Surety
 4. Board Member Request – Sustainability and Economic Development – pulled from Consent Agenda and moved to end of New Business

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Ms. Carlson seconded the motion. Mr. Pribulka asked if there was interest in a speaker for item 4 that Ms. Dininni had requested. Mr. Buckland called Point of Order and asked the Board if this item should be pulled out of the Consent Agenda for further discussion. Mr. Miller requested item #4 be pulled out of the Consent Agenda. Mr. Buckland stated item #4 will be placed under New Business.

The motion passed unanimously.

- b. Proclamation designating month of September 2018 as "Suicide Awareness and Prevention Month" and September 10, 2018, as "Ferguson Township Suicide Awareness and Prevention Day"

Mr. Buckland introduced the Proclamation. Mr. Pribulka introduced Ms. Vicere who did a presentation on the Proclamation and provided statistics. Ms. Vicere noted some upcoming events.

Mr. Buckland asked for a vote on the Proclamation. Mr. Pribulka noted a motion was needed.

Ms. Carlson moved that the Board of Supervisors **designate** September 2018 as "Suicide Awareness and Prevention Month" and September 10, 2018 as "Ferguson Township Suicide Awareness and Prevention Day". Mr. Miller seconded the motion. The motion passed unanimously.

- c. Consideration of Centre County Metropolitan Planning Organization Draft Long Range Transportation Plan (LRTP), 2019-2022 Transportation Improvement Program and Air Quality Conformity Analysis

Mr. Pribulka introduced the item for discussion. The Board was asked to provide comments to forward for consideration. Mr. Zilla presented on each of the plans and how they were used to secure state funding for transportation project. He noted online links to receive the information as well as physical locations to access paper copies.

Ms. Dininni started the Board discussion with what led up to her inquiry about the small area plan for Pine Grove Milles and concern for the pedestrian corridor. Mr. Zilla noted he had initiated

discussions in April with the MPO Technical Committee on the next update for the LRTP and noted federal requirements for five-year updates. He noted that there is plenty of time for the Board to provide input to the LRTP. Mr. Modricker discussed other potential funding options for projects. Mr. Pribulka illustrated where the intersection is located and noted the need and purpose will be an important discussion. Mr. Buckland noted the time spent on discussing this important topic and asked for Board consensus to acquire more information to actively submit comments for improvements on the Draft LRTP.

Chief Albright shared with the Board the crash data from January 2013 through December 2017: 3 crashes at Pine Grove Mills intersection in comparison to Shingletown Rd./Rt. 26 intersection that had 18 crashes within the same timeframe.

Ms. Dininni asked about whether technology existed to detect runaway trucks. Mr. Zilla responded it did; however, it would have to be studied and evaluated by traffic engineers. Mr. Buckland stated a Board member would need to make this a future agenda item for discussion if they chose to.

Mr. Miller asked Mr. Zilla if any projects were abandoned to be able to support the I-99/80 interchange. Mr. Zilla responded that some projects were likely not funded that did not rank as highly. Mr. Ricciardi inquired further on the intersection designation.

- d. Authorization to Submit an Automated Red Light Enforcement Grant Application to the PennDOT
Mr. Modricker reviewed the request as provided with the agenda packet. The grant requires 20% local match and 80% federal and would be to upgrade traffic signals to digital radar technology.

Mr. Buckland moved that the Board of Supervisors **authorize** staff to submit an Automated Red Light Enforcement Program Grant application to PennDOT to upgrade traffic signals to digital radar detection. Mr. Ricciardi seconded the motion. The motion passed unanimously.

- e. Discussion on Proposed Rule of EPA entitled, “Strengthening Transparency in Regulatory Science”
Mr. Buckland introduced the discussion that was included with the agenda packet and went into more detail as well as the editorial comments.

Mr. Buckland moved that the Board of Supervisors **direct** the Chair to issue a comment letter to the Environmental Protection Agency highlighting the Township’s strategic and policy commitments; pointing out the EPA’s mission; highlighting the fact that the Board and Climate Action Committee use well-founded methods developed through peer review and peer-reviewed assessments for similar purposes at a smaller scale; and opposing the rule’s true intent which will have grave consequences contrary to the Board’s goals. Mr. Miller seconded the motion.

Mr. Buckland noted he has had discussions with the chair of Ferguson Township’s Climate Committee and is interested in bringing this forward to the committee. The Board discussed in detail the content and language used in the letter as well as the tone of the letter. Ms. Dininni detailed her concerns about the inflammatory language being used and asked that less aggressive language be used. The Board overall agreed with the intent of the letter; however, some suggestions were to cite facts over editorial comments, and tone down the aggressive language and to send the letter to local representatives. Mr. Buckland clarified the statements that Ms. Dininni had noted for aggressive language. Mr. Buckland noted that he would take the comments and draft a revised letter for review. Discussion followed on what representatives to send the proposed letter to. Mr. Buckland referenced the Air Quality Analysis in the previous discussion above and how it relates to this item of discussion as an action item. Mr. Pribulka discussed logistics and noted the comment period expires in mid-August. Mr. Miller suggested putting the

item on a future agenda. Following the discussion, Mr. Buckland asked if the Board wanted to withdraw the original motion and place it on a future agenda.

Mr. Miller moved that the Board of Supervisors **postpone** the recommendation until the next Board meeting. Mr. Buckland seconded the motion. The motion passed unanimously.

f. Statement of Intent to Remain in COG Agencies and Programs

Mr. Miller initiated the discussion and reasons why this item was placed on the agenda as included with the agenda packet.

Mr. Miller moved that the Board of Supervisors **direct** the Township Manager to communicate to the COG Executive Director that Ferguson Township intends to continue all current participation in COG Agencies and Programs for the foreseeable future, and to convey a request that this intention be forwarded to the COG General Forum by the Executive Director. Mr. Ricciardi seconded the motion.

Mr. Ricciardi asked for clarification that voting for this item does not negate item 7 (item *g* in minutes). Mr. Buckland responded no. A lengthy discussion followed on multiple concerns surrounding this motion including discussion on the availability of parks data relative to municipal use compared to other programs in COG.

The motion passed 4 to 1 with Ms. Dininni dissenting.

g. Statement of Intent to Evaluate Participation in COG Agencies and Programs

Ms. Dininni moved that the Board of Supervisors **affirm** that “it is Ferguson Township’s mission to provide efficient, cost-effective, professional services to our residents in a fair, cooperative, ethical and honest manner. The Township will endeavor to manage its resources allowing planned, sustainable growth while preserving the quality of life and its unique characteristics.” Further, that the Board directs the Township Manager to communicate to the COG Executive Director that Ferguson Township intends to evaluate their participation in COG Agencies and Programs based on the efficient and cost-effective delivery of quality professional services. Mr. Ricciardi seconded the motion.

Ms. Dininni initiated the discussion at the request of Mr. Buckland. A lengthy discussion continued on the subject of parks and the Township’s continued participation in the Centre Region Parks and Recreation Authority.

Mr. Miller noted that it was his belief that the Township could not maintain and operate its parks for less than what it pays to the COG Program and that he does not see a need to evaluate the Township’s continued participation at this time. Discussion followed.

Following discussions and a request to vote on the motion, Mr. Miller moved to **call the question**. Mr. Buckland seconded the motion. The motion passed unanimously.

The motion failed 2 to 3 with Ms. Carlson and Messrs. Miller and Ricciardi dissenting.

h. Appointment to the Centre Region Planning Commission

Ms. Dininni moved that the Board of Supervisors **appoint** Jeremie Thompson to the Centre Region Planning Commission. Mr. Ricciardi seconded the motion. The motion passed unanimously.

Mr. Buckland called for a brief recess.

i. Strategic Plan Progress Report

Mr. Pribulka presented on the progress made toward the goals outlined in the Strategic Plan.

Ms. Dininni noted that the size of commercial space allowed for in the TTD will not attract local businesses. Ms. Carlson commented that staff should carefully evaluate CRM software. Mr. Pribulka discussed the software business models in detail. Mr. Buckland commented that automation and remote work will have a demonstrable impact on business and industry in the Township.

j. Board Member Request – Sustainability and Economic Development

Mr. Buckland introduced the discussion on item #4 pulled from the Consent Agenda. Mr. Pribulka asked the Board for input on a possible future speaker presentation from Sustainable Pittsburgh and noted it is a good resource for the region and ties into this topic. Discussion followed that included comments from Mr. Buckland stating it should enrich what we are trying to do in the Township and who would be well acquainted with these programs. There was Board consensus for a speaker presentation for July 16.

Mr. Buckland moved to **adopt** the discussion of Sustainability and Economic Development for the July 16 meeting and to reach out to Jim Price (Sustainable Pittsburgh) for a presentation. Ms. Carlson seconded the motion. The motion passed unanimously.

VIII. **STAFF AND COMMITTEE REPORTS**

a. COG COMMITTEE REPORTS – Committee agendas provided with the agenda packet.

1. Executive Committee. Mr. Miller stated the main item on agenda was the vote to approve the RFP for the Comprehensive Plan Study.
2. Transportation & Land Use Committee. Ms. Dininni stated the committee met today on the topic of affordable housing. Municipal staff to provide the information/report. Ms. Dininni detailed what municipal staff needs to provide to COG for further discussion. Ms. Dininni announced that she will no longer be able to serve on the TLU or CCMPO committees. Mr. Buckland noted to place these committee appointments as items on a future Board agenda.
3. Spring Creek Watershed Commission. Mr. Miller reported the committee discussed a question not on the agenda that had come up in a previous meeting on why the Spring Creek Watershed is not considered a sole source aquifer and went into further detail on the federal designated use and noted the Watershed is a collection of aquifers. Other items included a report on Impact of Urbanization on Water Quality of Springs & Streams - notable highlights were an increase in chlorides/water temperature and phosphates and nitrites have decreased; Community Forum update that is recorded on C-NET; other items as provided with the agenda packet.
4. Centre Region Parks & Recreation Authority. Agenda provided with agenda packet.
5. CCMPO Coordinating Committee. Agenda provided in agenda packet. Ms. Dininni noted Ferguson Township will not have a vote at the next meeting due to the Board of Supervisor's participation at the Township's CIP worksessions.

b. STAFF REPORTS – Reports included with the agenda.

1. Township Manager. Mr. Pribulka provided to each Board member a copy of the Comprehensive Annual Financial Report (CAFR) and further detailed the report. Mr. Ricciardi asked if it's known how many free libraries the Township has that followed the report on a "Free Little Library" that was installed at Tudek Memorial Park. Mr. Pribulka noted a couple locations that he was aware of. Discussion followed on donating a free library and possible locations.
2. Planning and Zoning Director. Mr. Stolinis reported the June 27 Active Plan list and April 23 meeting minutes were provided with the agenda packet. The Planning Commission met on June 25. Jeremie Thompson was appointed tonight as primary representative as motioned above and Ralph Wheland will continue as an alternate to the Centre Region Planning Commission. Mr. Stolinis thanked the Board and Planning Commission for their participation in both the Zoning & SALDO and Pine Hall joint worksessions held on May 8 and June 6 respectively. Mr. Stolinis noted that he will be compiling recommendations for the Board from the Sourcewater Ad Hoc to discuss at their next meeting regarding the Sourcewater Protection Overlay Ordinance prior to the public hearing. The Validity Challenge submitted by Circleville Road Partners was denied as detailed in the report.

Ms. Dininni had a discussion on the Small Area Plan process regarding expectations vs. resources the Township provides. Discussion followed on a survey, volunteers, noted accomplishments through COG, and mismatch of services. Mr. Pribulka noted for this initiative only staff time will be provided.

3. Public Works Director. Mr. Modricker noted some highlights from his report. Field view road projects for the Capital Improvement Plan is scheduled for July 31; Tree Commission will meet on July 23 and will be doing a field view for potential tree removals in advance of the public hearing; a large item of discussion was that the Tree Commission is interested in a worksession with the Board to discuss further tree preservation in urbanized area, a possibility of an ordinance and survey and to establish a tree canopy goal; update on the maintenance schedule; update on Transportation Mobility Study and a recommendation for action will be provided to the Board at a future Board meeting.

Ms. Dininni asked if a professional is going to present at the proposed worksession with the Board or if it will be just the Tree Commission. Mr. Modricker noted that has not been determined yet and stated staff has met with Dr. Elmendorf who has provided some resources. Discussion followed. Mr. Pribulka noted the consensus of the Board was to schedule a worksession. The timeframe for the worksession will be late summer/early fall.

Ms. Dininni discussed Oak Wilt and what types of timber it affects due to trees in her area having some issues. Mr. Modricker clarified treatment is done in urbanized areas but to contact the township's Arborist with any concerns on possible Oak Wilt. Mr. Modricker stated some Oak Wilt reports in the township that have turned out not to be Oak Wilt.

IX. COMMUNICATIONS TO THE BOARD

Ms. Dininni noted Breezy Farms is attending the Pine Grove Mills Farmers Market and will have young children attending who will get practice marketing in selling raw produce. This was in response to a Board member's email inquiring about young entrepreneurs at the Market. On another communication, a garden is going to be made at the Ferguson Township Elementary that will be focused on pollinators. Further detail was discussed on program expansion.

X. **CALENDAR ITEMS**

1. Coffee and Conversation, Friday, July 20, 2018, Naked Egg Café
2. 2019 – 2023 Capital Improvement Plan Worksessions:
Tuesday, July 31, 6:00 p.m. and Wednesday, August 1, 6:00 p.m.,
Ferguson Township Main Meeting Room
3. First Stakeholder's Meeting of Spring Creek Watershed Action Plan "Our Challenges and Direction for the Future", Tuesday, July 10, 6:30 p.m., Calvary Harvest Fields, Boalsburg

XI. **ADJOURNMENT**

With no further business to come before the Board of Supervisors, Mr. Buckland motioned to adjourn the meeting. Mr. Miller seconded the motion. The meeting adjourned at 10:00 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 07/16/18