

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, September 4, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Tuesday, September 4, 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		

Others in attendance included: Faith Norris, Recording Secretary; Ralph Wheland; Terry Williams; Tony Fruchtl; Rob Johnson; Rachel Johnson; Matt Vidic; and Tony Warren.

II. CALL TO ORDER

Mr. Buckland called the Tuesday, September 4, 2018, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT

Mr. Wheland voiced his concern on the increase of cost of public services to residents, referencing a section in the fall 2018 Ferguson print newsletter. Mr. Pribulka responded that the Public Works Maintenance Facility is the largest cost driver along with an influx of road projects and referenced the Executive Summary that details the budgeted item and how it will be funded.

IV. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the August 20, 2018, Regular Meeting minutes. Mr. Miller seconded the motion. The motion passed unanimously.

V. UNFINISHED BUSINESS

a. PUBLIC HEARING ON ORDINANCE ESTABLISHING MAXIMUM SPEED LIMIT ON PORTION OF WEST WHITEHALL ROAD

Mr. Pribulka presented an overview and a map illustration. Chief Albright provided updates on increased enforcement activities along with posting educational sign boards. The road meets warrants without further study to limit the speed to 25 m.p.h. to help alleviate speeding issues observed in the area.

Ms. Dininni moved that the Board of Supervisors **adopt** the ordinance reducing the speed limit on West Whitehall Road between its intersection with Tadpole Road and a point 0.23 miles west of its intersection with Tadpole Road from 30 m.p.h. to 25 m.p.h. Ms. Carlson seconded the motion.

Roll Call vote on Ordinance #1044: Ms. Dininni - YES; Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Carlson – YES.

b. PUBLIC HEARING ON RESOLUTION ADOPTING 2019-2023 CIP BUDGET

Mr. Pribulka did a detailed presentation of the current Capital Improvement Program Budget (CIP). He thanked the Board and staff, especially Eric Endresen, Finance Director, for the work done on the CIP.

The CIP is a five-year planning tool that's driven by the Township's Strategic Plan. Following the presentation, a clarification was made that the Public Works Department buildings costs' including the new PW Maintenance Facility, administration building renovation, and proposed fire station.

Mr. Miller moved that the Board of Supervisors **adopt** resolution adopting the 2019 – 2023 Capital Improvement Program Budget. Mr. Ricciardi seconded the motion. Discussion followed on some additional clarifications.

Roll Call vote on Resolution #2018-20: Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES.

c. CONTINUED DISCUSSION – AGRICULTURAL ZONING DISTRICT AMENDMENTS

Mr. Stolinas presented the amendments and principal land uses along with recommendations provided at a recent joint worksession with both the Board and Agriculture Ad Hoc Committee. The documents were provided with the agenda. Mr. Buckland initiated the discussion that included non-commercial/principal uses, conforming/non-conforming lot sizes, regulations, purpose statements and Accessory keeping of livestock in RA and RR districts, advanced cultural research, and separate solar and wind designation into different uses.

The Board recognized Mr. Wheland for the expanded discussion on Non-Commercial Keeping of Livestock that noted PA DEP's Manure Management Plan. Following multiple discussions, the Board's consensus was to have the staff direct the consultants to prepare a written explanation of Question 4, specifically defining the term non-commercial.

VI. **NEW BUSINESS**

a. CONSENT AGENDA

1. 2018-C9 Pay Application, Microsurfacing – \$173,126.02
2. 2018-C10 Pay Application, Sealcoating - \$25,943.95
3. Supervisor Request - Low Mow Area in Fairbrook Park

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Mr. Miller seconded the motion. The motion passed unanimously.

b. STEP BY STEP SCHOOL FOR EARLY LEARNING LAND DEVELOPMENT PLAN

Mr. Stolinas introduced the item. Mr. Buckland introduced the applicants present at the meeting. Mr. Fruchtl, the project's Civil Engineer, spoke on behalf of the applicants regarding additional details of the project.

Mr. Miller moved that the Board of Supervisors **approve** the Step by Step School for Early Learning Land Development Plan subject to the conditions outlined in the Director of Planning & Zoning memorandum dated August 29, 2018. Ms. Carlson seconded the motion.

Discussion followed on street trees that were discussed but not shown on the Record Plan along with location of trees. It was clarified that the trees are on the Landscaping Plan that will be recorded. Cost-sharing was discussed for lighting. Mr. Pribulka noted the project's design and structure is captured in the CIP. A detailed discussion followed on the offsite traffic improvement that coincided with the cost-sharing discussion.

The motion passed unanimously.

c. GRANT OF EASEMENT – STONEBRIDGE SHARED USE PATH

Mr. Buckland introduced the Grant of Easement and stated that it requires a Roll Call vote by Resolution. For the record, this will be a Public Hearing for the Stonebridge Shared Use Path Grant of Easement. Mr. Pribulka stated the item does not follow any prescribed advertising requirements other than applicable to the meeting agenda. The document was provided with the agenda and a copy of the proposed resolution was provided to the Board members. A map presentation followed.

Mr. Ricciardi moved that the Board of Supervisors **authorize** the Chairman and Secretary to execute the Grant of Easement for property located on tax parcel 24-466-200A, currently owned by Stonebridge Property Owners Association. Ms. Dininni seconded the motion.

A clarification was made on the segments of the path.

Roll Call vote on Resolution #2018-21: Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES.

d. VACATION OF RIGHT OF WAY DESIGNATED AS “REC VEE ROAD”

Mr. Pribulka introduced the item and presented history of the right-of-way (ROW) property along with the recording process. It would absolve the township of any maintenance of the ROW if vacated and would become private property. Mr. Stolinas presented a map as provided with the documents in the agenda packet.

Mr. Miller moved that the Board of Supervisors **vacate** the 50-foot Right-of-Way identified as “Rec Vee Road” and depicted on Exhibit “A” of the petition for vacation. Mr. Ricciardi seconded the motion.

Discussion followed on justification and clarification on vacating the ROW. Mr. Williams, council for the client, discussed the history of the adjoining ROW property and the legal process.

The motion passed unanimously.

e. FUNDING FOR A COMMUNITY KITCHEN AT WHITEHALL ROAD REGIONAL PARK (WRRP)

Mr. Miller presented the funding proposal for the Community Kitchen as provided with the agenda.

Mr. Buckland moved that the Board of Supervisors **allocate** \$40,000 from the Regional Capital Recreation Projects Fund to the Centre Region Parks and Recreation Authority for the specific purpose of funding a community kitchen facility at the Whitehall Road Regional Park. Mr. Miller seconded the motion.

Discussion followed on justification and clarification of the allocation of funds. Following discussion, Mr. Miller made an amendment to the motion.

Mr. Miller moved that the Board of Supervisors **amend** the original motion and increase the contribution of funds to \$200,000, inclusive of the \$40,000, to include the expansion of the pavilion with the community kitchen facility at the Whitehall Road Regional Park. Discussion followed on clarification of amount and percentage. Mr. Ricciardi seconded the motion.

Discussion followed on dimensions of the facility in reference to information provided at the General Forum and a concern raised for paying for the facility. Mr. Buckland called for a motion on the amendment.

The motion did not pass with Mr. Buckland, Ms. Carlson and Ms. Dininni dissenting.

Discussion continued on steps moving forward. Following discussion, an amended motion was presented.

Ms. Dininni moved that the Board of Supervisors **postpone** the vote until such time as the Board has a definite answer as to whether to build Phase 1 as proposed in the revised Master Plan of 2013 or open up the Master Plan for revisions prior to moving forward. Ms. Carlson seconded the motion. Discussion followed on potential plans and intention for programming/use of the pavilion.

Mr. Buckland moved that the Board of Supervisors **amend** the motion to postpone to add language until such time as the Board receives a response regarding specific programming for the development of the community kitchen. Ms. Dininni seconded the motion.

The motion passed unanimously. Clarification of the motion was for answers on both the Master Plan and specific programming. Discussion followed on innovated scenarios for the plan.

The motions to postpone and amend passed unanimously.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS – agendas included with the packet

- a. Executive Committee. Mr. Miller reported the agenda was included from the last meeting.
- b. Ad Hoc Facilities Committee. Mr. Buckland reported the committee met today and updated the Board on the draft asset evaluation tool that is in ongoing review.

2. OTHER REGIONAL COMMITTEES

- a. Steering Committee-Parks & Recreation Regional Comprehensive Plan. Ms. Dininni reported they met today and interviewed three consultants and is currently in negotiators with one of the consultants-further details and discussion followed. Follow-up on price quote.

3. STAFF REPORTS – reports included with the packet

- a. Township Manager. Mr. Pribulka presented highlights from his report. The 2019 Annual Operating Budget was provided to the Board for their review with a tentative adoption date of December 3rd and final adoption for December 10th which is consistent with prior budget cycles. The Pa Municipal League Annual Summit is scheduled from October 4 – 6, 2018, in Pittsburgh and it was determined that Mr. Miller will be the voting delegate from Ferguson Township. The ABC Volunteer Appreciation Dinner is tentatively scheduled for October 18th and location to be determined, invitations are forthcoming. Ron Seybert and Dave Pribulka recently met with PennDOT to discuss certified ornamental street lighting at Corl Street and W. College Avenue and currently are working with a local a vendor and PennDOT on acceptable structural fixtures. Staff recently met with some local agencies regarding a potential for a region-wide workforce housing summit for spring of 2019 to boost regional efforts and commitment for the provision of workforce housing community-wide with stakeholders, the development community and other interested parties. A discussion followed on examples of workforce housing project models and follow-up to the Board.

- b. Planning and Zoning Director. Mr. Stolinas reported that the Planning Commission met on August 27 and discussed the Pine Hall General Master Plan (PHGMP) and Step by Step submission. Comments followed on the PHGMP. The joint worksession between the Board and the Sourcewater Ad Hoc Committee is scheduled for October 9th 6:00 – 9:00 p.m. at the Township Building Main Meeting Room. Coming up on September 5th at 6:30 p.m. is the SAP Steering Committee's scheduled Alignment Meeting-update on location is the Township Building Main Meeting Room due to the hot weather-change will be posted on social media by our Communications Coordinator. For the record, received notice from the Township solicitor that two land use appeals have been filed: (1) Commonwealth Court for the County Procedural Decision, and (2) County Court for Circleville Partners on Zoning Hearing Board decision on the TTD Ordinance.

- c. Public Works Director. Mr. Modricker reported a joint worksession is planned with the Board and Tree Commission on September 11th - agenda was provided to the Board. Oak Wilt remediation efforts update; update on signal upgrades; paving updates; sealcoat and microsurfacing updates.

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS

Mr. Buckland stated an executive session followed the Board meeting this evening on a legal matter.

X. ADJOURNMENT

Mr. Buckland called for adjournment. With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 9:40 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 09-17-2018