

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, October 15, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, October 15, 2018, at the Ferguson Township Municipal Building. In attendance were:

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|---------------|----------------|---------------|---------------------------------------|
| Board: | Peter Buckland | Staff: | Dave Pribulka, Township Manager |
| | Steve Miller | | Dave Modricker, Public Works Director |
| | Laura Dininni | | Chris Albright, Chief of Police |
| | Sara Carlson | | |
| | Tony Ricciardi | | |

Others in attendance included: Faith Norris, Recording Secretary; Lewis Steinberg-Schlow Library; Pam Adams-COG; Wes Glebe; Pam Steckler; Bill Hechinger; Jim Steff; Michael Pratt-Keller Engineering; Ambrose Heinz-Stevens & Lee; B.K. Bastress.

II. CALL TO ORDER

Mr. Buckland called the Monday, October 15, 2018, regular meeting to order at 7:01 p.m.

III. CITIZENS INPUT –

Mr. Glebe commended the Township for clearing brush today in his neighborhood.

IV. SPECIAL REPORTS

- a. Schlow Centre Region Library – Mr. Steinberg reported on the activities of the library. He reported on increased circulation; eBook checkouts; budget revenue and expenses; and contributions. Noted was that the Federation of County Libraries is one of two finalists for the *Centre Inspires* Grant with a story (book) walks proposal from our region that would allow the walks in three different parks. Of note, there are over 75 volunteers that actively assist the library that helps to defray costs.
- b. Centre Region Refuse and Recycling Program – Ms. Adams reported proposed changes to the 2020 recycling contract and memorandum of understanding. Two proposed changes were discussed - expanding to include organics collection and 5 years vs. 10 years that will help spread the cost for new equipment needed. Specifics on the contract were reported including cart sizes, resident cost examples, organics collection service costs and participation options.

Citizens in attendance were directed to address questions to Ms. Adams outside of the meeting.

V. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the October 1, 2018, Regular Meeting minutes. Ms. Carlson seconded the motion. The motion passed unanimously.

VI. UNFINISHED BUSINESS

a. PINE HALL TRADITIONAL TOWN DEVELOPMENT GENERAL MASTER PLAN

Mr. Pribulka introduced the plan for review and discussion. Representatives from the engineering firm were recognized as being present at the meeting. The public hearing is tentatively scheduled for December 10th. Topics discussed included phasing for the Plan; rental/affordable workforce housing; fee in lieu of workforce housing; stormwater management; the Eco Village; provisional requirements of the ordinance; market absorption for the timeframe of the Plan's construction; traffic improvements; alignment for future solar orientation; and the provision of open space.

It was noted that the draft terms and conditions were not included with the agenda in response to a Board member's question. Mr. Pratt was recognized and discussed parts in the phasing process. Mr. Pribulka discussed in detail affordable housing and fee-in-lieu in response to Board members' questions. Item discussed included developing a timetable within the terms and conditions vs. a phasing plan; consistency with the Municipalities Planning Code; and financial investment in infrastructure up-front to encourage the completion of all phases. The Board overall was in favor of the Pine Hall TTD phasing plan; however, it was determined from the questions asked that more substantive information is needed before the Board can move forward on a decision for the workforce housing units. Mr. Pribulka stated a representative from Centre County Land Trust may be able to shed some light on the developer's plans for workforce housing and how it could evolve following comments from tonight's meeting and the opinion of the Township solicitor. Separate related discussions followed on universal access and accessibility in Phase 1 – including incorporation of universal accessibility for the cottage-style units; TTD and open space network and wetlands; buildings that can possibly be aligned for solar orientation for long-term economic development; and promotion of low-impact development.

Mr. Buckland called for a five-minute recess.

VII. NEW BUSINESS

a. CONSENT AGENDA

1. Hunter's Chase Phase 6 Surety Reduction No. 3 Release
2. Time Extension - Step by Step School for Early Learning
3. Time Extension - The Cottages Planned Residential Development

Mr. Buckland requested that item 3 – Time Extension for the Cottages be moved to the end of New Business for discussion.

Mr. Miller moved that the Board of Supervisors **approve** the Consent Agenda. Ms. Carlson seconded the motion.

Mr. Modricker responded no to a question asked whether the Hunters Chase Surety is related to the broken wooden signs since it's public and not private.

The motion passed unanimously.

b. A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, BY DELETING THE PARKING RESTRICTIONS AND PROHIBITIONS AT THE END OF OWENS DRIVE, SET FORTH IN CHAPTER 15, SECTION 403, ENTITLED PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS

Mr. Modricker introduced the proposed amendment to the ordinance. He explained reasons why there is no longer a need for the parking restrictions and the need to update the ordinance. This is mainly due to the newly established Songbird Sanctuary Park at the end of Owens Drive that will need parking accommodations.

Ms. Dininni moved that the Board of Supervisors **adopt** the ordinance amending Chapter 15, Motor Vehicles and Traffic, by deleting the parking restrictions and prohibitions at the end of Owens Drive. Mr. Ricciardi seconded the motion.

Roll Call vote on Ordinance -1045: Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland – YES.

- c. A PUBLIC HEARING ON A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE FERGUSON TOWNSHIP POLICE ASSOCIATION FOR A TERM BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2021

Mr. Pribulka introduced the resolution to adopt the collective bargaining agreement (CBA). The negotiated agreement has been reviewed by the Township's labor counsel.

Ms. Carlson moved that the Board of Supervisors **adopt** the resolution authorizing the Township Manager to execute a Collective Bargaining Agreement with the Ferguson Township Police Association for the term beginning January 1, 2019 and ending December 31, 2021. Ms. Dininni seconded the motion.

Roll Call vote on Resolution 2018-24: Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Carlson – YES.

Mr. Pribulka noted following his signature as Township Manager, the CBA will be forwarded to the Police Association to be ratified.

- d. ZONING APPEALS/VARIANCES – 310 MARENGO LANE

Mr. Pribulka introduced the variance application in Mr. Stolinas' absence. He went into detail on the Zone A floodplain boundary and setback. The property is located within the Single-Family Residential (R1) zoning district.

Mr. Miller moved that the Board of Supervisors **remain neutral** on the variance application for the property located at 310 Marengo Lane. Ms. Dininni seconded the motion. The motion passed unanimously.

- e. SUBDIVISION/RELOT – MARK & EILEEN KLINE, TAX PARCELS 24-9A-184, 24-9A-184A, AND 24-9A-185

Mr. Pribulka introduced the proposed subdivision of the three properties and reviewed the applicant's request. The applicants have completed a majority of revisions to the proposed subdivision/replot. The Planning Commission did review the plan and has recommended approval by the Board.

Ms. Dininni moved that the Board of Supervisors **approve** the Mark C. & Eileen C. Kline Subdivision/Replot subject to the remaining conditions outlined in the Director of Planning & Zoning memorandum dated October 9, 2018. Mr. Ricciardi seconded the motion. The motion passed unanimously.

- f. CONSIDERATION OF FUNDING COMPOSTING TOILETS AT WHITEHALL ROAD REGIONAL PARK

Ms. Dininni introduced the item and reviewed the possibility of this option for WRRP from research done at other Township parks. Discussion followed on whether COG will approve the easement for the sewer pump station. Other topics of discussion included possible benefits for other parks and to follow-up with State College Borough Water Authority and a hydrogeologist on available updated technology that could be implemented and incorporated into future parks. Mr. Glebe noted his availability to follow-up with helpful materials on the topic.

Ms. Dininni moved that the Board of Supervisors **postpone** this discussion until the first Board meeting in November pending the Water Authority getting back to staff regarding the Board's inquiry about

compositing toilets on-site and completing research on the technology of composting toilets. Mr. Ricciardi seconded the motion.

A suggestion was made by a Board member to see if other places are using the composting toilets and sources for outside funding.

Ms. Steckler was recognized and spoke in favor of this idea. She further stated examples on how it can be used as an educational tool as well as “gray” water usage. The Board further discussed using it as an educational tool for the public and how it can be beneficial for interacting with water systems.

The motion passed unanimously.

g. DISCUSSION OF ANNUAL APPOINTMENTS TO CERTAIN TOWNSHIP POSITION

Mr. Pribulka introduced the item and reviewed the committee appointments and specialty appointments as provided with the agenda. Discussion followed on certain appointments and policy, the deadline for recommendations, the interview process and criteria. In response to a Board member’s question, Mr. Pribulka stated in order to have time for the review process, candidate recommendations should be provided no later than November 1st. The reorganizational meeting is scheduled for January 7, 2019. A recommendation was made to review the criteria for the review process; timeline; and how long the current position holders have served the township. Consulting engineering firms were other items of discussion.

h. TIME EXTENSION - THE COTTAGES PLANNED RESIDENTIAL DEVELOPMENT

Mr. Buckland introduced the discussion item that was on the Consent Agenda for this evening. He reviewed the discussion and vote on this item from a previous meeting. Mr. Pribulka detailed the requirements of the MPC in regards to the recording of a conditionally approved development. Following further discussion, Mr. Buckland made a motion.

Mr. Buckland moved that the Board of Supervisors **deny** the request for the time extension. Ms. Carlson seconded the motion.

Discussion followed on Township policies on approval of extensions and the process on recording the plan.

Attorney Heinz was recognized and explained the firm’s purpose behind the extension request that was to avoid an issue or dispute that would arise as a result of a delay that COG would have and; therefore, would not be able to record the plan. Discussion followed on the ordinance.

The motion passed 3 to 2 with Messrs. Ricciardi and Miller dissenting.

VIII. STAFF AND COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

1. Human Resources Committee. The committee met on October 3rd. Mr. Ricciardi noted a new handbook draft update that will be ready soon for COG review. Another review item was the meeting guidelines/collegiality that may be sent to the General Forum for COG approval in the near future.
2. Public Services & Environmental Committee. The committee met on October 4th. Mr. Buckland was not able to attend; however, had followed-up on items discussed. The largest agenda item was heard under tonight’s Special Reports from Ms. Adams on the recycling program. Other items discussed included updates on the Regional Growth Boundary and Sewer Service

Area-no change and it was voted to not review until 2023; uniform water quality testing standards; greenhouse gas inventories; COG is now part of ICLEI and is using the ClearPath software as is Ferguson Township which will make it more cohesive for the member municipalities to coordinate greenhouse gas inventory and take action as needed.

b. OTHER REGIONAL COMMITTEES

1. Regional Parks Comprehensive Plan Steering Committee. Dininni – The committee met on October 2nd. Ms. Dininni reported the main item of discussion was negotiations with the consultant and the survey. The COG Finance Committee proposed that the additional cost of the survey be covered by the COG formula that includes Halfmoon Township and to place it in the budget for 2019.

c. STAFF REPORTS

1. Township Manager. Mr. Pribulka reported updates that included an HOA open forum that was held last Wednesday; attendance at the 119th Annual Summit of PA Municipal League from October 4-6 with Mr. Miller; Ferguson Parks & Rec. Committee Meeting cancelled due to lack of quorum - next meeting is scheduled for November 12th with discussion of low-/no-mow in Fairbrook Park from the previous agenda; the Board hosted a joint worksession with the Sourcewater Steering Committee on October 9th - draft minutes will be available at an upcoming meeting; ABC dinner is schedule for this Thursday (October 18th) at the Ramada Inn, S. Atherton Street - Keynote speaker will be District Attorney Cantorna; 1st Night State College provided a written thank you for the Township's sponsorship of an ice sculpture; the Township has submitted its annual NPDES permit for review; the plastic bag petition that was received at a recent meeting has at least the required 50 electors in the Township and will move forward with an ordinance for public hearing.

Discussion followed on the plastic bag petition's timeline process for public hearing in response to a Board member's question.

2. Planning and Zoning Director. Refer to the written report included with the agenda packet.
3. Public Works Director. Mr. Modricker reported a public meeting was held on October 3rd for the Transportation Mobility Study for Northland area – 120 responses as of last week to the wiki map survey of which people can still respond to via the Township's website; the working group's next meeting will be held the last week of October to discuss the survey results and open house; LEED Gold building meeting with architects was held on October 8th and design work has resumed. Ferguson Tree Commission met this evening with Thistlewood Homeowners Association on progress with tree maintenance/planting plan; public hearing on tree removals – no controversy reported on tree removals; Zoning/SALDO and tree preservation. Report on maintenance and improvement schedule. GIS staff is doing an inventory of all the street signs in the Township as part of asset management.

Discussion followed on preserving some trees at the Silvi baseball complex per a Board member's question. Mr. Modricker responded on what will be done for stormwater management on-site to restore and replace some trees and basis of design. Mr. Buckland stated more detailed information can be followed-up by an email.

4. Chief of Police. Chief Albright reported activities for September 2018 and year-to-date (YTD). Part 1 crimes YTD are down; Part 2 crimes are down; overall calls for service are down; traffic stops are up due to efforts to address traffic complaints that have been received throughout the Township; other department and community updates as included with the agenda packet. Of note, it is Domestic Violence Awareness Month, emergencies - call 911, for more

information/services, please contact Centre Safe, formerly known as the Women's Resource Center.

IX. COMMUNICATIONS TO THE BOARD

Ms. Dininni had received five communications regarding the blasting proximity near the Toll Brothers construction site (for The Cottages) with a staff response. Ms. Dininni noted that she will follow-up to request this item be added to the Consent Agenda at a future Board meeting.

X. CALENDAR ITEMS – OCTOBER

- a. Coffee and Conversation, October 20, 2018, 8:00 – 9:30 a.m., Dunkin Donuts, N. Atherton St., members of the public are invited.
- b. ABC Appreciation Dinner, October 18, 2018, 6:00 p.m., Ramada Inn, State College
- c. Executive session was held tonight by the Board of Supervisors on personnel matters.
- d. November 14th, 6:00 p.m., Pine Grove Mills Small Area Plan Town Hall, St. Paul Lutheran Church

XI. 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 9:32 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 11-05-2018