

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, March 4, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, March 4, 2019, at the Ferguson Township Municipal Building. In attendance were:

Board: Peter Buckland
Steve Miller
Laura Dininni
Tony Ricciardi
Richard Killian

Staff: Dave Pribulka, Township Manager
Centrice Martin, Assistant to the Manager
Ray Stolinas, Director of Planning & Zoning
Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Wes Glebe; Tony Barrile; Ralph Wheland; Bill Keough; Luke Prato.

II. CALL TO ORDER

Mr. Buckland called the Monday, March 4, 2019, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT – None.

IV. SPECIAL REPORTS

a. State College Borough Water Authority – Mr. Glebe

Mr. Glebe reviewed the meeting notes from the February 21st SCBWA meeting. The report included updates on comments for the development of Whitehall Road Regional Park; water line to service Gray's Woods is up for financing and the Authority is working on a new plan; fees for after-hours service are being raised; PA One Call law is changing – details followed; reservoir project will be out to bid; Harter/Thomas Well Fields registered no seismic reading after blasting was done for The Cottages PRD; and Spring Creek Watershed Commission Water One Water initiative discussion.

Clarification was made by Ms. Dininni regarding a referenced letter from SCBWA to the Centre Region Parks & Recreation Authority.

V. APPROVAL OF MINUTES

Mr. Buckland stated the motion for both sets of minutes will be done separately due to Mr. Killian not being on the Vacancy Board at the time of the meeting.

Mr. Miller moved that the Board of Supervisors **approve** the Vacancy Board Minutes of February 15, 2019. Mr. Ricciardi seconded the motion. The motion passed 4-0.

Mr. Ricciardi moved that the Board of Supervisors **approve** the Regular Meeting Minutes of February 19, 2019. Mr. Miller seconded the motion. The motion passed unanimously.

No changes or corrections were noted.

VI. UNFINISHED BUSINESS

a. PROCLAMATION DESIGNATING WEEK OF MARCH 10TH AS GROUNDWATER AWARENESS WEEK IN FERGUSON TOWNSHIP

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Mr. Pribulka reviewed the draft proclamation for consideration that was presented at the February 19th Regular Meeting and was submitted by Todd Giddings under Citizens Right To Be Heard.

Mr. Miller moved that the Board of Supervisors **proclaim** the week of March 10th to be Groundwater Awareness Week in Ferguson Township. Mr. Killian seconded the motion. The motion passed unanimously.

b. PUBLIC HEARING RESOLUTION AMENDING 2018 TOWNSHIP OPERATING BUDGET INCREASING EXPENDITURES

Mr. Pribulka reviewed the details of the budget amendment. The amendment is authorized under Section 7.08 of the Home Rule Charter and specifically increases Fund 3 – Hydrant Fund for \$5,000 for the increase in assessments levied by the State College Borough Water Authority.

No Public Comment was noted.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution amending the 2018 Ferguson Township Operating Budget. Mr. Ricciardi seconded the motion.

Roll Call vote n Resolution 2019-12: Mr. Buckland – YES; Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES; Mr. Ricciardi – YES.

c. DISCUSSION OF REQUESTS FOR DONATIONS BY VARIOUS COMMUNITY GROUPS FOR 2019

Mr. Pribulka reviewed the process to submit recommendations per the Township's donation policy. A unanimous vote was recommended to fund both the Ferguson Township Area Senior Citizens Group for a prescribed amount and the Community Diversity Group in an amount to be determined. Group discussion followed on the governing process of the donation policy and the reasons why some groups were not recommended. Those applications were found to not meet the Township's policy requirements. Specific examples were given on recommended applications for approval. Mr. Pribulka stated typically there are no staffing requirements for a sponsored event, in response to Ms. Dininni's question.

Discussion followed on an agreed amount to sponsor the Community Diversity Group.

Mr. Buckland moved that the Board of Supervisors **approve** an appropriation of \$500.00 for the Ferguson Township Senior Citizens Group and the Community Diversity Group for \$500.00 - with that money designated for sponsorship of their annual conference. Mr. Miller seconded the motion. The motion passed unanimously.

VII. NEW BUSINESS

a. CONSENT AGENDA

1. Board Member Request – Kathy Matason Letter of Support
2. 2019-C8 Pavement Marking Contract: \$214,365.79
3. 2018-C22 Barn Roof: \$23,400.00

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

b. APPOINTMENTS TO CENTRE REGION COUNCIL OF GOVERNMENTS AND REGIONAL COMMITTEES

Mr. Pribulka introduced the item. With the recent appointment of Mr. Killian replacing Ms. Carlson on the Ferguson Township Board of Supervisors, the Board was asked to reconsider the vote for the Township's representative to the Centre Region Parks and Recreation Authority (CRPRA). Mr. Pribulka asked the Board if they would entertain appointing Mr. Killian to a COG committee or committees.

Mr. Buckland called for nominations for CRPRA.

Ms. Dininni made a motion nominating Bill Keough to the Centre Region Parks and Recreation Authority for a term expiring December 31, 2023. No other nominations were made. The motion passed unanimously.

Discussion followed on committee appointments for a Board member. Mr. Miller stated that he would step down from the COG Finance Committee.

Mr. Miller moved that the Board of Supervisors **appoint** Mr. Killian to the COG Finance Committee. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Buckland moved that the Board of Supervisors **appoint** Ms. Dininni to the COG Public Safety Committee. Mr. Miller seconded the motion. The motion passed unanimously.

c. AUTHORIZATION OF ENGINEERING STUDY TO EVALUATE PARKING RESTRICTIONS AND TRAFFIC IMPROVEMENTS ON RUSHCLIFFE (STREET)

Mr. Pribulka reviewed the history along with a visual presentation for the Board to discuss and consider options for a resolution moving forward. Discussion followed with examples of issues noted by Chief Albright. Residents voiced their concerns on blocked driveways since living in the neighborhood and gave examples of health and safety issues. Discussion followed on blockage of parked cars, access for emergency vehicles, speeding issues and impact on residents.

Ms. Dininni moved that the Board of Supervisors **direct** staff to proceed with an engineering study to evaluate parking restrictions and potential traffic improvements on Rushcliffe Street. Mr. Ricciardi seconded the motion.

For clarity, a citizen noted Rushcliffe is a street and not a drive. A citizen voiced his opinion on one-side parking on Rushcliffe. Mr. Pribulka clarified the function of the study will focus on access to driveways, parking restrictions and vehicular movement and not a speed study. Chief Albright noted speed signs could be used to show the speed and record vehicles' speeds.

A follow-up will be done regarding whether this is included in the Pine Hall Master Plan Traffic Study and off-site impacts.

Mr. Buckland called for a vote. The motion passed unanimously.

d. CONVEYANCE OF TOWNSHIP OWNED PROPERTY LOCATED AT THE BASE OF PINE GROVE MOUNTAIN ON TAX PARCELS 24-7-44B AND 24-7-44 TO DCNR

Mr. Buckland introduced the item for discussion and noted that at this meeting no decision will be made on purchase of the property. Mr. Pribulka reviewed the narrative that was prepared by Mr. Modricker-Director of Public Works and Mr. Lance King, Township Arborist. Mr. Pribulka presented a visual map of the two parcels with history, acreage and boundaries. In short, the Township was

approached by the Department of Conservation and Natural Resources (DCNR) about acquiring the two parcels that DCNR would then incorporate into their state forest stewardship plan.

Discussion followed on the process, prior dialogue with DCNR's Bureau of Forestry and Clearwater Conservancy; its impact on Pine Grove Mills, input for the Small Area Plan and whether it fits with the Township's values and goals. Following discussion, Mr. Buckland reviewed the 3 items in the narrative for discussion: a) continue dialogue with Bureau of Forestry to donate or sell the land; b) hold off on updating the land management plan until getting an update or recommendation of value on the Small Area Plan – discussion followed; and c) continue with current practice and maintenance with no plan until other items discussed are considered. In closing remarks for moving forward, Mr. Pribulka recommended if the Township maintains ownership, it should have a stewardship plan in place and dedicate resources for those improvements; and noted Mr. Miller's suggestion to keep in mind for allowing stream bank restoration work in conjunction with MS4 pollutant reduction requirements.

e. REVIEW OF CHAPTER 19, SIGNS & BILLBOARDS CODE OF ORDINANCES

Mr. Stolinas reviewed the history of the last revisions done to the ordinances that was close to two years ago. Since that time, there have been inconsistencies between current ordinance language and desired sign use and placement that Ferguson Planning & Zoning deemed necessary to reexamine. Pain points were reviewed, being mindful of neutrality of sign content and examples of categories and scenarios were presented. A detailed discussion followed on what type of signs could be considered for exemptions, evaluations of signs in reference to the *Reed vs. Town of Gilbert* Supreme Court decision standard, banners in Right of Way, sign size and time limitations. Mr. Stolinas continued with explaining the permitting process.

Mr. Miller moved that the Board of Supervisors **direct** staff to prepare an ordinance amendment for review addressing the identified deficiencies of the Sign Ordinance. Mr. Ricciardi seconded the motion. The motion passed unanimously.

Mr. Pribulka reviewed the process in response to Mr. Keough's question.

VIII. STAFF AND COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

1. Transportation & Land Use Committee. Mr. Miller reported the committee met today and discussed upcoming projects.

b. OTHER REGIONAL COMMITTEES

a. Centre County Metropolitan Planning Organization. Mr. Ricciardi reported the organization met on February 26th. Presentations included PennDOT's Regional Operations Plan (ROP) and 199/180 local projects; positive comments on 322 to link with Potters Mills corridor-expected completion is 2030; routes 26 & 45 interchange update-bid expected for late 2021 and completion in 2022; and a new subcommittee was formed on the Long Range Transportation Plan.

Discussion followed on the design phase of routes 26/45 interchange. A follow-up can be done at a later date with PennDOT when it gets closer to the bid date.

c. STAFF REPORTS

1. Township Manager. Mr. Pribulka reviewed the report as provided that included the following topics: UAJA approved the MOA for sanitary sewer construction for the Greenbriar development;

for the ninth year in a row, the Township received the GFOA Certificate of Achievement for Excellence in Finance Reporting for the Comprehensive Annual Financial Report (CAFR) - Mr. Pribulka commended those responsible for the submission of the document; Budget Executive summary is complete and being finalized; kickoff meeting was held with the engineering firm *Wood* to conduct Phase II of the Stormwater Fee Study - process followed; a preliminary hearing was held on the Traditional Town Development validity challenge on February 27th - details followed; attendance at the March 1st quarterly meeting of the PennPRIME Worker's Compensation and Liability Insurance Trusts.

Additions to the report included Clearwater Conservancy announced the 23rd Annual Watershed Cleanup Day on Saturday, April 20th and will be advertise on the Township's social media pages; and Leadership Centre County letter of appreciation for Ferguson Township's contribution to assist with the Leadership Class of 2019.

Discussion followed on posting other groups along with Watershed Cleanup Day when the information is received.

2. Planning and Zoning Director. Mr. Stolinas reviewed the report that included the Active Plan list; February 11th Planning Commission Meeting Minutes; update from the February 25th Planning Commission Meeting that discussed updates to both ordinances, quick views and other zoning map suggestions; the SALDO open house was successful with about 50 people; a Zoning/SALDO joint worksession is being scheduled with the Board of Supervisors for Thursday, March 14th in Conference Room 2; CBICC - ABC Essentials workshop update; Long Range Transportation Special Meeting update; update from the February 26th Zoning Hearing Board to discuss the Nixon-Kocher Water Treatment Plant that approved all 6 variance requests – details followed.
3. Public Works Director. The report was provided with the agenda packet. No comments or questions were noted.

IX. **COMMUNICATIONS TO THE BOARD** - None

X. **CALENDAR ITEMS**

- a. Northland Mobility Study Open House, Ferguson Township Main Meeting Rm, March 11, 2019, 5:00 p.m.
- b. Pine Grove Mills Small Area Plan, St. Paul Lutheran Church, March 13, 2019, 6:00 p.m.
- c. Suburban Park Master Plan Public Meeting 3, Quality Inn, N. Atherton St., March 27, 2019, 6:00 p.m.

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 9:00 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 03-18-2019