

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, May 6, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, May 6, 2019, at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller	Staff:	Dave Pribulka, Township Manager
	Richard Killian		Centrice Martin, Assistant to the Manager
	Peter Buckland		Lindsay Schoch, Community Planner
	Laura Dininni		Dave Modricker, Public Works Director
	Tony Ricciardi, Absent		Eric Endresen, Director of Finance
			Ron Seybert, Township Engineer
			Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Rick Bair-Baker Tilly; Robert Watts-McCormick Taylor; Ann Yost-ASLA-YSM Landscape Architects; Peter Crawley-LandDesign; Michael Pratt-Keller Engineers; Tanya Hampton-Centre Bikes; Mark Torretti-Penn Terra; Laura King; Wes Glebe; James Graef; Rita Graef; Todd Giddings; Jeremie Thompson; Derek Anderson; Brian Hoffheins; Christine Bailey; Art Curtez; Janet Swim; Liz Broley; Don Snowden; Dee Aylward; Pam Steckler; Carol Gouty.

II. CALL TO ORDER

Mr. Miller called the Monday, May 6, 2019, regular meeting to order at 7:00 p.m.

Mr. Miller announced that the Pine Hall agenda item was moved to the top of Unfinished Business and the Special Report on Centre Region Parks & Rec Authority was taken off the agenda.

III. CITIZENS INPUT

None noted.

IV. SPECIAL REPORTS

1. 2018 Financial Audit. Mr. Bair gave an update on the different types of audits, financial statements, reporting, compliance, revenue, expenditures and the process. He reported that the General Fund is sound and that there are no material weaknesses. The only outstanding item is the CAFR to go to the GFOA by the June deadline.

No questions were asked.

2. 2019 First Quarter Financial Report. Mr. Endresen reviewed tips and preventative measures for reducing fraud and noted some risk factors. He continued with review of the Township funds that included debt service, trends, profits and special revenue and year end profit and loss. He reported no debt at this time and that the reserve funds will help defray costs for the Township's building renovations. Transfer taxes are under budget. An unanticipated expenditure was the State College Borough Water Authority increased hydrant fees.

No questions were asked.

3. Municipal Separate Storm Sewer System Permit (MS4) Presentation. Mr. Seybert presented a review of the Sewer System and Stormwater Management Program that is a yearly requirement of the Township at a public meeting. Items reviewed included acronyms; urbanized areas; requirements; programs; strategies; promotions; education; public involvement and notifications; construction management;

pollution prevention, reduction plans and website access. More information can be found at: ms4partners.org. The Township's current MS4 permit is pending.

Discussion followed on the submitted plan that clarified that Pine Grove Mills Small Area Plan was an included project for Slab Cabin Watershed. Changes to the MS4 draft are due by the end of this week.

V. **APPROVAL OF MINUTES**

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of April 15, 2019, with amendments as noted: Mr. Buckland was absent at the meeting and noted prefix for Ms. Dininni. Mr. Miller seconded the motion. The motion passed 4 to 0.

VI. **UNFINISHED BUSINESS**

a. **PINE HALL TRADITIONAL TOWN DEVELOPMENT GENERAL MASTER PLAN**

Mr. Miller reviewed the procedures for the comment period. Mr. Pribulka introduced the item along with the approval process. Messrs. Crawley and Pratt reviewed the Master Plan on behalf of the applicant. Discussion followed on the reference of street names incorporated into the plan's design to familiarize the areas; the three phases with sub phases; plan organization – big picture vs. detailed phase clarification; lighting plans and process. A web link to the Pine Hall TTD General Master Plan was included with the agenda.

A Public Comment period followed. A number of citizens spoke on the concern for preserving the existing forest, scenic value and drinking water. Detailed discussion included existing tree preservation, the Township's ordinance, stormwater runoff and the environment.

Mr. Killian moved that the Board of Supervisors **authorize** advertisement of the Pine Hall Traditional Town Development General Master Plan for public hearing on June 17, 2019. Mr. Miller seconded the motion.

Discussion followed with the Board and Mr. Pratt on clarification on tree removal vs. trees preserved or replaced; stormwater requirements and impact of the six (6) acres needed due to ordinance density requirements based on the tract size; conservation planning and density tree canopy; plan for grading the retention basin and credits; lighting development in forested dark areas; common areas and intent of the ordinance/TTD/greenway goal. It was noted for the growth boundary to avoid urban sprawl, to have a smart growth initiative and long-term sustainability. Further discussion followed on percentage of tree retention; growth and the qualified consultant inventory; clarification of the current plan's expiration date of July 8th; update on traffic impact studies; draft terms and conditions; and receiving data to review in a timely manner.

Mr. Buckland requested a Roll Call vote for this item.

Roll Call vote: Mr. Buckland – YES; Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES. Motion passed 4 to 0.

Mr. Miller stated the Master Plan will go before the Planning Commission prior to the Public Hearing on June 17th.

Mr. Miller called for a five minute recess.

b. **NORTHLAND AREA TRANSPORTATION MOBILITY STUDY**

Mr. Modricker reviewed the item for discussion. A spreadsheet of transportation improvements' costs were provided at the meeting. A link to the Northland Area Mobility Study Pre-Final Report was provided with the agenda.

Mr. Watts presented a progress update of the 10-month study, its components, phase changes, review process and emergent needs. Priority tiered projects were reviewed.

A Public Comment period followed. Mr. Graef had suggestions on reducing parking minimums in the TTD to increase tree density; had positive comments on the Northland study; suggestions for the protective bike lane and urban bike infrastructure vs. the shared use path; concern for slowness in the transit infrastructure and options for yield signs at bus pull-offs and lane change areas.

Board discussion followed with Mr. Watts regarding bike infrastructure, street signals and safety improvements.

Mr. Killian moved that the Board of Supervisors **accept** the Northland Area Mobility Study Presentation. Ms. Dininni seconded the motion. The motion passed 4 to 0.

c. SUBURBAN PARK MASTER PLAN

Ms. Martin introduced the item and its history. Ms. Martin noted the presentation reflects the community's interest and the park's needs. The Executive Summary was presented to the Board of Supervisors at their April 15th meeting. Ms. Yost, Project Manager, presented the Master Plan update on conceptual alternatives along with the interactive design nature for the 13-acre park.

A detailed discussion followed on bleacher expense vs. the less expensive bathroom facilities.

It was clarified that the motion will be to advertise the Suburban Park Master Plan for Public Hearing.

Mr. Buckland moved that the Board of Supervisors **authorize** a public hearing on the draft Suburban Park Master Plan for May 20, 2019. Ms. Dininni seconded the motion. The motion passed 4 to 0.

d. KING WEALTH STRATEGIES LAND DEVELOPMENT PLAN

Ms. Schoch introduced the item for recommendation. The location is 222 Blue Course Drive in the General Commercial Zoning District. The applicant has proposed to convert part of the existing building into a business. Details were provided with the agenda on the remaining administrative comments along with a link to the plan. Discussion followed on maintaining the tree line near the plaza. There were no questions or comments for the representative from Penn Terra who attended that represented the client.

Mr. Buckland moved that the Board of Supervisors **approve** the King Wealth Strategies Land Development Plan subject to the outstanding conditions outlined in the Director of Planning & Zoning memorandum dated May 1, 2019. Ms. Dininni seconded the motion. The motion passed 4 to 0.

VII. NEW BUSINESS

1. CONSENT AGENDA

- a. March 2019 Voucher Report
- b. Change Order - Contract 2019-C2, Street Improvement Projects – West; Ramblewood Road: \$59,562.64

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Mr. Buckland seconded the motion. The motion passed 4 to 0.

2. PROCLAMATION PROCLAIMING MAY FERGUSON TOWNSHIP BIKE MONTH AND MAY 17TH BIKE TO WORK DAY IN FERGUSON TOWNSHIP

Mr. Miller introduced the proclamation. A flyer on bike activities planned for May was provided with the proclamation.

Ms. Dininni moved that the Board of Supervisors **adopt** the proclamation designating May to be Ferguson Township Bike Month and May 17th as Bike to Work Day. Mr. Killian seconded the motion. The motion passed 4 to 0.

3. PROCLAMATION PROCLAIMING MAY 19TH TO MAY 25TH NATIONAL PUBLIC WORKS WEEK

Mr. Modricker introduced the proclamation. The American Public Works Association had designated the week as National Public Works Week. The theme this year is “*It Starts Here*” recognizing the value of Public Works Professionals bring to infrastructure, growth and innovation. More information can be found at <https://npww.apwa.net>.

Ms. Dininni moved that the Board of Supervisors **adopt** the proclamation designating the week of May 19th to May 25th to be National Public Works Week. Mr. Buckland seconded the motion. The Public Works Department was thanked for all it does for the Township. The motion passed 4 to 0.

4. CITIZENS RIGHT TO BE HEARD – STONEBRIDGE SPEED STUDY REQUEST

Mr. Pribulka introduced the item from a request received to conduct a speed study for reducing the speed limit on Stonebridge Drive. A determination was recommended.

Mr. Hoffheins spoke of current speed concerns, code requirements and to maintain a low speed as the area continues to be developed.

Ms. Dininni moved that the Board of Supervisors **direct** staff to conduct a speed study to evaluate reducing the speed limit on Stonebridge Drive. Mr. Buckland seconded the motion.

Discussion followed with why the Stonebridge development is not considered residential. Mr. Modricker responded with the definition from the Motor Vehicle Code on a Residential District on direct driveway access and number of residents. The road is designed to move traffic.

The motion passed 3 to 1 with Mr. Killian dissenting. Noted, this will be a study conducted by staff.

5. AWARD OF CONTRACT 2019-C10 BIKEPATH AND PARKING LOT SEALCOATING

Mr. Modricker reviewed the item for Board approval as provided with the agenda.

Mr. Buckland moved that the Board of Supervisors **award** Contract 2019-C10 Bikepath and Parking Lot Sealcoating to Crilon Corporation in an amount of \$24,995.13. Mr. Killian seconded the motion. The motion passed unanimously.

6. REMOVAL OF PAUL APICELLA FROM FERGSON TOWNSHIP IDCA BOARD

Mr. Pribulka introduced the item for discussion. The Township has attempted to contact Mr. Apicella with no response. The term expires December 31, 2021. Mr. Miller requested to split the motion into two separate motions for removal and appointment.

Ms. Dininni moved that the Board of Supervisors **remove** Paul Apicella from the Ferguson Township Industrial and Commercial Development Authority. Mr. Killian seconded the motion. The motion passed 4 to 0.

Ms. Dininni moved that the Board of Supervisors **appoint** Chris Daher to the Industrial and Commercial Development Authority for the remainder of Mr. Apicella’s unexpired term ending December 31, 2021. Mr. Killian seconded the motion. The motion passed 4 to 0.

7. ACCEPTANCE OF TONY RICCIARDI'S LETTER OF RESIGNATION FROM THE FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Messrs. Miller and Pribulka reviewed the item and Vacancy Board rules. Noted for record, Mr. Ricciardi's resignation date is effective May 28, 2019. Mr. Ricciardi is serving an At-Large seat that expires on December 31, 2021. An appointee can be from anywhere within the Township.

Mr. Buckland moved that the Board of Supervisors **accept** the resignation of Tony Ricciardi effective 11:59 p.m. on May 28, 2019, and, further, that the Board of Supervisors authorize an application period for interested candidates through June 7, 2019. Ms. Dininni seconded the motion. The motion passed 4 to 0.

The date confirmed for Ward II candidate reviews of Mr. Buckland's position is June 25th at 6:00 p.m. The date confirmed for At-Large candidate reviews of Mr. Ricciardi's position is June 11th at 6:00 p.m. Noted, Mr. Potter is unavailable on both dates.

VIII. STAFF AND COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

1. Executive Committee. Agenda was provided in the packet.
2. Human Resources Committee. Agenda was provided in the packet.
3. Public Services & Environmental Committee. Mr. Buckland reported main discussions included refuse and recycling bid - vote to move to General Forum with Alternative Bid was 3 to 1 for carts; UAJA - Act 537 special studies and timeframe.

Discussion followed on studies' timeframe, alternate bid, impact on contract and reasoning behind approval of increased cost that included safety, aesthetics, more control of refuse disposal and better tracking,

4. Transportation & Land Use Committee. Mr. Miller noted the committee discussed the Act 537 Plan; review of 5 special studies; bike month and restaurant discounts during bike month.

b. OTHER REGIONAL REPORTS

1. Centre County Metropolitan Planning Organization Coordinating Committee. Agenda was provided in packet. There will be an update at the COG General Forum.

c. STAFF REPORTS

1. Township Manager. Mr. Pribulka touched on some items in the report as well as unlisted items. Communication was received from PA DEP on analysis being taken that may result in a change of designated uses of Slab Cabin Run. Items not included with the report followed. Centre Gives begins May 7th with Tudek Park Trust participation; Climate Action Committee met today with a presentation on Gas Emissions Inventory for the Township from Josh Hunter, student of Climate Committee Chair Brandi Robinson-results will be shared at a later date. Announced that Ray Stolinas was leaving the Township after about 3.5 years to take a position at Centre County's Planning Office and Lindsay Schoch will be interim Planning Director while a search is conducted for a replacement appointee to go before the Board.

Discussion followed on item 3 of the report regarding the deed of dedication of properties in Pine Grove Mills – Rothrock State Forest. Mr. Pribulka clarified the property conveyance process and a lengthy discussion followed with a Board member's noted concern to incorporate comments from the Pine Grove Mills Small Area Plan Steering Committee. Mr. Buckland called Point of

Order. Discussion followed on the public hearing process. Mr. Pribulka noted the information needed to prepare the deed of dedication should be received by mid-June/July timeframe for a Public Hearing.

2. Planning and Zoning Director. Ms. Schoch noted her thanks in appointment to interim Planning/Zoning Director. Noted for the report were newly submitted plans for initial review by the Board, i.e., Harner Farm Subdivision Plan and Sheetz LDP. Correction to Pine Grove Mills Small Area Plan – did not meet May 1st but will meet on May 8th. The permit list is long due to The Cottages submission of building permits in March. Jeff Ressler and Faye Drawl were complimented in the quick turnaround time in getting the permits out.

3. Public Works Director. Mr. Modricker reported on highlighted items in his report. Items not on the report – response from PennDOT that they agreed to the revision on the request to extend the turn lanes on W. College Ave. - both North and South bound that will be included on this year's paving contract. Science Park Road will not be extended due to driveways that rely on the 2-way access.

IX. COMMUNICATIONS TO THE BOARD

Ms. Dininni received feedback on no/low mow area on infrequent mowing concern with weeds and potential for blowing down on soccer fields and increased herbicide use. Some individuals liked the low mow and protection to trees.

X. CALENDAR ITEMS

- a. Centre Gives Campaign for Tom Tudek Memorial Park Trust, May 7th from 8:00 a.m. through May 8th at 8:00 p.m.
- b. Pine Grove Mills Small Area Plan, St. Paul Lutheran Church, May 8th, 6:00 – 8:00 p.m.
- c. Special Event - State College Ride of Silence, May 18th, 12:30 p.m.

XI. ADJOURNMENT

Mr. Miller called for adjournment. With no further business to come before the before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. Mr. Killian seconded the motion. The meeting adjourned at 11:22 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 05-20-2019