

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, January 20, 2014
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, January 20, 2014 at the Ferguson Township Municipal Building. In attendance were:

Board: Richard Mascolo, Chairman
Drew Clemson, Vice Chairman
Elliott Killian
Steve Miller
Janet Whitaker

Staff: Mark Kunkle, Township Manager
David Pribulka, Assistant Manager
David Modricker, Public Works Director
Diane Conrad, Chief of Police

Others in attendance included: Heather Bird, Recording Secretary; Ron Seybert, Township Engineer; Nick Schaefer, Trans Associates; Chris Gibbons, Concord Financial; Jens Damgaard, Rhoads & Sinon LLP; Rob Crassweller, Planning Commission; Joshua Potter

II. CALL TO ORDER

Mr. Mascolo called the Monday, January 20, 2014, regular meeting to order at 7:00pm.

III. CONSENT AGENDA

IV. PUBLIC HEARINGS – ORDINANCES

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING AND SECURING A \$1,650,200 PRINCIPAL AMOUNT GENERAL OBLIGATION NOTE, PURSUANT TO THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, TO CURRENTLY REFUND THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES OF 2009, AND PAY RELATED EXPENSES; ACCEPTING A BANK LOAN PROPOSAL TO PURCHASE THE NOTE; SETTING FORTH THE TERMS AND SUBSTANTIAL FORM OF THE NOTE; CREATING A SINKING FUND AND APPOINTING A SINKING FUND DEPOSITORY FOR THE NOTE; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THIS TOWNSHIP TO SECURE THE NOTE; AND CONTAINING RELATED PROVISIONS."**

Mr. Chris Gibbons reviewed the best proposal from PNC bank for .98% interest rate. The length of the loan will be 3 ½ years at a fixed rate. A couple items to note include the amount to be borrowed went down by about a half a million dollars because the Township is paying the 2014 principle and interest plus an additional \$1000 was able to be saved by borrowing that lesser amount. The net present value savings are \$36,331.40.

Mr. Kunkle stated that this does not extend the original term of the loan and will still be paid in full in 2017.

Mr. Killian made a motion to ADOPT Ordinance #982 authorizing the refinancing of the 2009 General Obligation Bond. Mr. Clemson seconded the motion.

ROLL-CALL VOTE: Mr. Clemson: YES; Mr. Killian: YES; Mr. Mascolo: YES; Mr. Miller: YES; Ms. Whitaker: YES

V. PUBLIC HEARING – RESOLUTIONS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING RESOLUTION 2012-26, RESOLUTION 2013-01 AND RESOLUTION 2013-27 AND ESTABLISHING A NEW SCHEDULE OF FEES.

Mr. Kunkle stated that annually the staff reviews the schedule of fees for changes. A number of the changes are due to regional fee increases including Centre Region Code and the Centre Region Refuse and Recycling collection fees. On January 6th the Board appointed the sewage enforcement officer, Chuck Herr, and his new fees are included in this schedule. The Township has also gained the ability to print and copy large plans and in the event these would be produced for use of individual outside the Township the cost per square footage has been included in the fee schedule. The fees for hard copies of the Board of Supervisors agendas and meeting minutes such have been eliminated due to online availability. The fee schedule also includes an increased deposit fee for land development plan signs to reflect the cost of replacement. The Township also increased the fee for parkland fee-in-lieu.

Mr. Killian made a motion to ADOPT Resolution #2014-03 repealing resolution 2012-26, resolution 2013-01 and establishing a new schedule of fees. Mr. Miller seconded the motion.

ROLL-CALL VOTE: Mr. Clemson: YES; Mr. Killian: YES; Mr. Mascolo: YES; Mr. Miller: YES; Ms. Whitaker: YES

VI. COMMUNICATIONS TO THE BOARD

VII. ACTION ITEMS

1. TURNBERRY PHASE 1 CORRECTIVE PLAN

Mr. Kunkle stated that specific implementation plan for Turnberry Traditional Town Development was previously approved and recorded. Recently the Township was requested to consider acceptance of right-of-ways that were constructed. In the course of approving this Township staff noted that there were discrepancies in the curve table that was on the recorded plan. This plan amends the curve table data to match up with the deeds for the right-of-ways

Mr. Killian made a motion to APPROVE the Turnberry Phase 1 Corrective Plan. Mr. Miller seconded.

The motion passed unanimously.

2. PRESENTATION OF TOWNSHIP WIDE TRAFFIC STUDY – NICK SCHAEFER, TRANS ASSOCIATES

Mr. Modricker stated that in 2009 the Township engaged Trans Associates to perform a township wide traffic study at a cost of approximately \$50,000. This was the second such comprehensive township wide study ever completed for the Township; the first study having been done approximately 10 years earlier. The study evaluates the roadway network under existing conditions, and evaluates the roadway network in the year 2030 by projecting the effect of 20 years of land development. The ultimate purpose of the study is to provide the township with a transportation improvement plan which the Board and staff can use in determining capital improvements. The comprehensive study evaluated the existing and future levels of service at 19 signalized intersections and 17 stop controlled intersections. Township staff provided land use assumptions for the study and Trans Associates estimated the number of trips generated in

the AM and PM peak hours using two models. The study identified if certain warrants were met for either a signal, left turn lane, right turn lane, and identified improvements necessary to bring the intersection to an acceptable level of service. The study identified how to optimize the performance of certain signalized intersections.

Mr. Nick Schaefer stated the purpose of this study was to gain insight into the network improvements for the horizon year of 2030. The study began by collecting massive data including count data, permit plans and field views at 36 intersections. A land use assumptions report was created where approximately 140 parcels were built out for redevelopment each with their own land use type. Land use types range from single family, multi family, retail and so on. A trip generation was done with the land use assumptions to estimate trip generation for AM and PM peak times. The projection for 2030 included 48,000 daily trips.

Two models were used in the – visum and synchro. Visum is a macroscopic model used to forecast traffic volumes and accurately distribute trips based upon roadway impedance factors and synchro is a microscopic analysis tool for operational analysis to determine levels of service (LOS). The final results came from the synchro analysis.

All together the roadway network was setup by GIS supplied by the township including 36 intersections, 19 signalized and 17 stop controlled.

For existing and future analysis Trans looked at operational analysis, which is the LOS being a grade from A through F and delay. Also where and when specific warrants were met and will those meet current and future peak hour warrants for signal installation. Left turn and right turn lane warrants were also analyzed. After the analysis was completed with the existing and future LOS and delay, improvements are identified to bring intersections back to acceptable conditions. Acceptable conditions for Ferguson Township are a minimum of LOS D or above.

Mr. Schaefer went over the operational analysis and those intersections that do not currently meet LOS D standards which included three intersections during AM peak hours and five intersections during PM peak hours. In review of peak hour warrants, none were met. Next, Mr. Schaefer went over the right turn lane warrants which included six intersections during AM peak hours, nine during PM peak hours and two during both AM and PM peak hours. The left turn lane warrants included one intersection during PM peak hours and two during both AM and PM peak hours. In many of the intersections optimized timing, movement of green time, will be all that is needed to move the LOS back to a D or above.

Mr. Schaefer went over the future operational analysis which included four AM peak hour intersections that will not meet LOS D with six in PM peak hours not meeting LOS D. Future analysis included five peak hour signal warrants, fifteen AM peak hour right turn lane warrants, seventeen PM peak hour right turn lane warrants, five both AM and PM peak hours right turn lane warrants, one AM peak hour left turn lane warrants, two PM peak hour left turn lane warrants and two both AM and PM peak hour left turn lane warrants.

For future analysis improvements needed would include optimized timings, left turn lane and protected turning. At some intersections signals would be warranted.

Mr. Kunkle stated that these predictions are only as good as the prediction of future developments. Mr. Kunkle asked about using the study as development occurs in getting shared contribution and funding for future Improvements. Mr. Schaefer stated that a cost could be assigned to all of the improvements and then use a shared cost to distribute. The Township

would need a transportation improvement ordinance in place to have this happen otherwise it would be a negotiated cost.

Mr. Mascolo asked about the time cycle of 90 seconds. Mr. Schaefer stated this is the total cycle for the intersection.

Mr. Pribulka asked why LOS D is considered the optimal result. Mr. Modricker stated that the LOS for new signals is LOS C and the existing is LOS D. This is not the optimal but the minimum standard.

Mr. Ron Seybert went over where the Township should be based on the results of this study. Several factor such as growth or redevelopment would change the study by adding new roadways. This document is not a stagnant document and should be updated every 10 to 15 years. The areas warranting a signal may or may not get one in the future. It will be an area that needs further study to determine if a signal would be beneficial. In regard to LOS, not too many A's are out there.

Mr. Seybert stated that a left turn warrant has to do more with safety issues so they are more serious and really need to be looked at. Right turn lanes are much safer and may not be as important but would improve flow.

Mr. Mascolo asked if a right turn or left turn lane warrant is the addition of a lane in order to complete this. Mr. Seybert confirmed that is correct.

Mr. Seybert stated that this summer staff will be presenting projects to add to the Township's five year Capital Improvement Plan budget. Also staff will look into regional needs for submission to the MPO – LRTP.

One of the intersections that stands out to him is Valley Vista/Bachman Lane where a left turn lane is warranted and future provisions will be installed for a signal. Also, a round-a-bout will be looked at as a requirement from the state. As of right now this intersection would be the only one to go in the CIP for future improvements.

Mr. Seybert stated that annually staff needs to go out and optimize timing for intersections to allow for more consistency in LOS.

Mr. Killian asked if a regional traffic study is done. Mr. Seybert responded that yes there is one and the Townships do share information.

Mr. Miller asked if LOS is based on average time and Mr. Seybert responded yes.

3. APPOINTMENT OF CRPC REPRESENTATIVE AND ALTERNATE

Mr. Clemson made a motion to APPOINT Kurt Homan as the Township primary representative to the Centre Region Planning Commission and Richard Killian as the alternate representative. Mr. Miller seconded the motion.

The motion passed unanimously.

4. APPROVAL OF DECEMBER 2013 VOUCHER REPORT

Mr. Killian made a motion to APPROVE the December 2013 voucher list. Mr. Clemson seconded the motion.

The motion passed unanimously.

VIII. CONSENT AGENDA

Mr. Killian made a motion to APPROVE the consent agenda including the December 2013 Treasurer's Report. Ms. Whitaker seconded the motion.

The motion passed unanimously.

IX. REPORTS

1. Manager

Mr. Kunkle reported on several items. The Township received its 2013 settlement agreement amount from the County for Penn State fee in lieu in the amount \$136,731.13. The Centre Region Parks and Recreation had issued a request for bids for farming of the 67 acres of the Whitehall Road Regional Park running through September 2, 2014. The winner of this bid was Jon Woskob with a payment through September 2014 of a little over \$6000. Included with his report is a letter from Representative Benninghoff summarizes the components of Act 89 of 2013 commonly called Transportation Funding Bill. At this point we do not now the financial impact for the Township as far as additional revenues for 2014. Going forward the bill analysis indicates a 60% increase in our liquid fuels allocation. Mr. Kunkle is asking the Board to consider a worksession on several topics including a Board email policy, discussion relative to the West College Avenue Streetscape program and a donation sponsorship recognition policy. Finally included is an invitation to the Centre Area Transportation Authority elected officials orientation breakfast on February 6th at 7am.

2. Chief of Police

Chief Conrad stated that for December 2013 part one crimes were 6, down from 11 in 2012. Year to date for part one are down 10% from 179 in 2012 to 160 in 2013. Part two crimes we also down year to date from 714 in 2012 to 677 in 2013, although the month of December was up slightly. For non-crime calls were up by 9% for the year. Calls are up but because of better staffing overall for the year crimes have decreased. The Police Department earned the title of one of the safest municipalities in Pennsylvania. Other activities include traffic citations up 15% overall, traffic stops up 55% (this is one of the reasons crime is down, stops interrupt criminal activities), criminal arrests were up 6% and hearing were up 39%.

Chief Conrad noted that Officer Park was chosen for honorary coach for the Penn State Lady Lions due to his work with the Crisis Intervention Team. The department had one large call on December 30th for a male who was threatening himself and his family.

3. COG Committee Reports

a. Executive

Mr. Mascolo stated that they meet tomorrow, January 21st. This meeting will consist mainly of appointments, reappointments and nominations to offices and positions.

b. Finance

Mr. Mascolo stated this meeting was held on Jan 16th. Mr. Bud Graham will continue to be Chair with Walter Wise as Vice Chair. The meetings will continue to be at the same time and place.

Mr. Bair was at the meeting requesting transfer of a forest fire vehicle that Penn State wants to transfer to Alpha for a minor fee, which was approved but will need to go to the Forum. Discussed a fund balance policy and hope to establish a fund balance for each fund in the COG agency.

c. Human Resources

Ms. Whitaker stated Nigel Wilson will remain the Chair. The committee changed the meeting time to Wednesdays at noon. For 2014 COG financial services for all of the COG agencies is \$125,000. The new position for a COG Finance Assistant is anticipated to have a start date of June 1st. With the retirement of Cathy Prosek there will be a new internally posted position of Human Resource Officer. In order to complete the COG employee wage survey the committee endorsed Victoria McGrath as a consultant. It is a matter of record that COG experienced an 8% increase in medical expenses for 2014.

d. Parks Capital

Mr. Mascolo stated they meeting was held on Thursday, January 9th and reappointed the same Chair and Vice Chair. They discussed their meeting schedule. They discussed the parking spaces at the pool and the next step for regional parks development. Harris Township stated that their letter was misinterpreted and they will review and requests for future funding of parks. The committee discussed Hess Field driveway and determined that there should be enough space to widen the driveway to two lanes.

e. Public Safety

Mr. Clemson stated they met Wednesday, January 15th. The Chairman is Dave Fryer and Bryce Boyer is the Vice Chair. Meeting times have changed to 11:30. The Board of Appeals for the Centre Region Building and Housing Code is looking to reorganize to be more proactive. The committee would like them to meet once a month. A replacement code pickup truck was recommended for about \$34,000 for a gas powered truck. The region got a new tanker at a cost of \$377,000. Customer satisfaction survey went out and received a 25% return rate. The response of 38.9% responded that their services were very good and 45.5% responded that they services were good. Customer concerns are related to the cost of a building permit and the length of time involved in plan review.

f. Public Services & Environmental

Mr. Killian stated that elected Dennis Hermeister as Chair. Currently they are working on a new proposed refuse contract. The three big points with the new refuse contract are compressed natural gas, changing unlimited to regular and adding an organic collection. They plan to have a 5 year contract where they establish the use of the compressed natural gas vehicles. At this time there is not a current facility that would be able to handle a full fleet. They would need to build an infrastructure for this. The State College Borough is the first with curbside organics east of the Mississippi. After a pilot program the Centre Region program hopes to be the second. The pilot program would be limited to within the RGB/SSA. The new trash program would not include the new carts or trash cans to be picked up with a robotic arm. The Centre County Refuse and Recycling wants to be named as the contractor for the region. The concern with this is them becoming a monopoly and charging higher fees. This year will be the year that all septic tanks must be pumped and inspected.

g. Transportation & Land Use

Mr. Miller stated they met Monday January 13th. Mr. Jeff Luck was elected Chair. They will continue to meet at the same time. They made the decision to go forward with the bicycle friendly plans. Received an update on the state transportation funding, with a lot of money available for projects but specific projects have not been determined.

4. Spring Creek Watershed

Mr. Killian stated that he was elected Vice Chair of this commission. He announced that on February 12th at 7pm there will be a presentation on pharmaceuticals and our environment and watershed at Mt. Nittany Hospital in the Dreibelbis Room.

X. MINUTES

Mr. Clemson made a motion to APPROVE the January 6, 2014 Organizational Meeting Minutes. Mr. Miller seconded the motion.

The motion passed unanimously.

Mr. Clemson made a motion to APPROVE the January 6, 2014 Regular Meeting Minutes. Mr. Miller seconded the motion.

The motion passed unanimously.

VII. ADJOURNMENT

Mr. Clemson made a motion to ADJOURN the meeting. Mr. Killian seconded the motion.

The motion passed unanimously.

With no further business to come before the Board of Supervisors, Mr. Mascolo adjourned the regular meeting at 8:29 pm to an executive session.

Respectfully submitted,

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 02/03/2014