

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, March 3, 2014
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, March 3, 2014 at the Ferguson Township Municipal Building. In attendance were:

Board:	Drew Clemson, Vice Chairman	Staff:	Mark Kunkle, Township Manager
	Elliott Killian		David Pribulka, Assistant Manager
	Steve Miller		David Modricker, Public Works Director
	Janet Whitaker		

Others in attendance included: Heather Bird, Recording Secretary

II. CALL TO ORDER

Mr. Clemson called the Monday, March 03, 2014, regular meeting to order at 7:00pm.

III. CITIZENS INPUT

IV. PUBLIC HEARING – RESOLUTIONS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE VICE CHAIRMAN AND SECRETARY TO EXECUTE A LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF FERGUSON AND WEIS MARKETS, INC. ESTABLISHING AN EMERGENCY OPERATIONS SITE CONSISTENT WITH THE TOWNSHIP CONTINUITY OF OPERATIONS PLAN

Mr. Pribulka stated the goal of a continuity of operations plan is to minimize the disruption of Township services in the event of any scale of a disaster. One of the key elements in this is to secure an alternate recovery site in the event that the primary location is uninhabitable. The Weis Markets site was selected because of its centralized location, adequate parking and the grading needed to set up a mobile operations site.

Mr. Killian made a motion to ADOPT Resolution #2014-09 entering into a license agreement between Weis Markets and the Township. Ms. Whitaker seconded the motion.

Mr. Killian asked if an annual fee is needed in order to maintain the agreement. Mr. Pribulka stated that there will be no annual fee and if the Township were to relocate there the Township would cover the costs of operations for the Township. Mr. Kunkle stated that Weis Markets will continue to maintain the parking lot and a clause is built into the agreement that should Weis Markets need to use the relocation space they would give the Township a certain amount of advance notification.

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

V. COMMUNICATIONS TO THE BOARD

Ms. Whitaker heard some comments about sidewalks being cleared along Blue Course Drive. There was discussion about sidewalks versus bike paths.

Mr. Killian received a concern about plowing on Bristol Avenue and he will be discussing this with Mr. Modricker.

VI. ACTION ITEMS

1. CONTRACT 2014-C13 STREET TREE PLANTING CONTRACT

Mr. Modricker stated that on Tuesday, February 25th six bids were opened for contract 2014-C13 Street Tree Planting. The project was bid with a base bid, what the Township intends to award if the bids are favorable, included a combination of 1 ½" and 2" diameter trees and an alternate bid including only 1 ½" diameter trees. This was done because the homeowners association, contacted by the Township, was interested in the larger diameter trees. The six bids received were as follows: Lawnscape LTD base bid \$51,605 and alternate \$48,000; Landscape II base bid \$68,650 and alternate \$49,410; Cramer L&C Inc. base bid \$83,143.08 and alternate \$68,958.08; Penn Landscape and Cement Work base bid \$89,912 and alternate \$70,417; Robert W. Behrer LLC base bid \$56,141 and alternate \$45,854 and Scott's Landscaping base bid \$81,003 and alternate \$60,439. The budget for this project is \$50,000 with an estimate of \$52,800. One contract fell within the estimate. Staff recommends award of Contract 2014-C13 Tree Planting to Lawnscape LTD in the amount of \$51,605 with the Township's portion being \$48,000 and the Hunters Chase / Foxpointe Homeowners Association portion of \$3,605.

Mr. Killian made a motion to AWARD contract 2014-C13 Street Tree Planting Contract to Lawnscape LTD in the amount of \$51,605. Mr. Miller seconded the motion.

The motion passed unanimously.

2. DISCUSSION OF COG FIRE TRAINING TRAILER AND VEHICLE STORAGE BUILDING – DAVE MODRICKER

Mr. Modricker stated when the Township was preparing their budget COG approached the Township about building a structure on the Township's property that would house two trailers and a truck. They would like these to be sheltered and have these be used for training in the structure during inclement weather. The amount included in the Township budget is \$83,400. The amount included in the budget was for a 40 feet by 60 feet pavilion type, pole columns, shingle roof and concrete pad. COG had specific requirements for the way the trailers would be parked and used. After the budget was approved there have been more conversations about the use of this building now and in the future. If the Township would like to make use of this building design option #2, a 60 foot by 60 foot garage structure may be more useful. If in the future this would be used by Township Public Works department this is the size that would be needed. This would include steel beams, drains and electric services. In the future design option #3 could include design option #2 with a 40 foot extension and walls and doors including vehicle lifts, offices, storage, etc. At this time where does the Township want to go with this building?

Mr. Kunkle stated the main reason staff is looking into this is to avoid expending dollars that in 10 years should have been spent to build a more useful facility. Most likely the Township will have a 10-20 year lease with COG for use of the facility. In 2006 the Board considered adding a garage parallel to Whitehall Road and at that time the decision was to expand the main building over the garage.

Mr. Killian asked for the timeline of events. Mr. Kunkle stated that COG would like this building to be in use this year sometime. The first design and second designs are certainly attainable in 2014.

Mr. Clemson asked about the difference in price between the three designs. Mr. Modricker stated that the costs would approximately be \$28/ sq. foot for the pavilion style (design #1), \$40/ sq. foot for steel beam (design #2) and the enclosed facility at \$75/ sq. foot (design #3).

Mr. Clemson stated that design #2 would allow the Township to go toward future Township use while design #1 is only going to provide the use that COG needs. Mr. Modricker stated that design #2 would provide a longer life for the building.

Ms. Whitaker stated design #2 would also provide better space for the immediate use of the space by COG.

Mr. Miller asked that if COG rents the building for 10 years will we need to build another building in 5 years and be stuck with this additional building.

The additional cost of construction would not be covered through lease payments. The payments would help reduce the Township's total out of pocket expense but the Township would need to take money out of the current years' budget to build the facility. The Township does have the option to take a loan out to finance the project.

At this time the Board's consensus was to pursue Design #2.

3. VARIANCE REQUESTS

a. MELANIE D ENG PROPERTY ON DRY HOLLOW ROAD

Mr. Kunkle stated this variance request is for property located in the RA zoning district and is a non-conforming lot. Ms. Eng is interested in subdividing her property to convey a portion of the property to the neighboring property owner. Typically one should not make a non-conforming lot even more non-conforming.

Mr. Killian made a motion to REMAIN NEUTRAL on this variance request for Melanie Eng's property on Dry Hollow Road. Mr. Miller seconded the motion.

The motion passed unanimously.

b. KEYSTONE REAL ESTATE GROUP – 2124 OLD GATESBURG ROAD

Mr. Kunkle stated this variance request is for property located at 2124 Old Gatesburg Road. The applicant would like to lease a portion of the property for a use that would require additional parking spaces. Based on the parking calculation completed the property is 15 spaces short. It is noted that the one tenant currently at the property only uses the property from 5:30 to 9:30 in the evening. In many cases there is an overlap of parking use that can occur. Staff is recommending that the Board provide the Zoning Hearing Board with conditional variance language should the Zoning Hearing Board grant the variance. That conditional variance language would indicate that should any of the tenants' change their hours of operation eliminating the overlap of usage the variance would need to be reapplied for or terminated. The whole reason the variance would be granted is because the 15 parking spaces the tenant is short would be vacant due to the evening usage of the other tenant.

Mr. Killian made a motion to provide the zoning hearing board conditional variance language stating that the conditional variance would be predicate upon the current usage and the current tenant hours of operation only, should that change this variance will be null and void and a variance would need to be reapplied for. Mr. Miller seconded the motion.

The motion passed unanimously.

VI. REPORTS

1. Manager

Mr. Kunkle reported that the Spring Newsletter is currently under development and should be published in early April. Staff is meeting with Tom Comitta Associates on Wednesday, March 5th. Mr. Comitta is a consultant retained to assist the Township on working through the Terraced Streetscape and TTD zoning district regulations. This meeting will help to identify changes to make to these zoning district regulations for the future design of the districts.

The Township received a letter from Discovery Space thanking the Board for its financial support.

Mr. Kunkle also received a request from Spring Creek Watershed Association for C-Net coverage of their March 19th workshop. The request is for 1-2 hours of the total 5-6 hour meeting. The Board is willing to sponsor these hours.

Lastly, Mr. Kunkle stated that on Thursday evening there was a very good turnout for the Rock Springs Water Company meeting. Approximately 100 residents came out for the meeting. The results from the meeting were about 10 people who showed an interest in creating a working group to work with Rock Springs on strategic planning, finance options, customer service and the future corporate structure. The Township feedback was very good. Residents were appreciative of our efforts. It is important to the Township to have reliable and safe water for our residents.

2. Public Works Director

Mr. Modricker stated on February 21st public works, police, West Penn Power and CATA met in regards to the Martin Street / Park Crest Lane intersection and determined the best most cost effective solution is to install one wooden pole at the northwest corner (by the bus stop) with an arm that extends out in the intersection and an arm back toward the bus shelter. This should accomplish both the lighting of the street and the shelter.

The public works open house was held before the meeting from 4:30 to 6:30. Mr. Modricker will provide a summary of the comments from this at the next meeting.

Today was to be the first day of brush and leaf collection, but at this time due to weather it will not begin until the temperature warms up.

3. Planning & Zoning

Mr. Kunkle stated that the Toll Brothers Campus Living plan has been submitted and review will begin in the coming week. This is a major project and the Township will retain Tom Comitta to work on this from a planning prospective since at this time we do not have a Planning and Zoning Director. The CATA facility will have a presentation to the TLU Committee on the revisions to their plan. They have developed a thoughtful phasing of the buildings.

Mr. Pribulka added that the Board was provided a new permit activity report for both January and February. Staff would like feedback from the Board. Mr. Killian suggested removing the parcel identification from the report.

4. COG Committee Reports

a. Transportation & Land Use

Mr. Miller stated that the meeting was cancelled due to threat of inclement weather. Some items were handled through email. The CATA project was forwarded to the Executive Committee. In regards to the Potters Mills Gap Project the preliminary engineering is just about finished and they are moving onto the environmental assessment. Two meetings have been scheduled in regards to the project one on March 13th at Potter Township and April 22nd at Ferguson Township with the MPO. The public may visit www.CCMPO.net for information on this project.

5. Other Non-COG Regional Committees

Mr. Killian stated the Ad Hoc meeting for curbside organics was rescheduled due to weather. Mr. Killian also stated that he went to the New Leaf for a meeting about what community water and sewage look like in the future. Representatives from UAJA, Penn State, Trout Unlimited and Clearwater were present to discuss the idea of UAJA and Penn State combining water systems and sewage treatment plants. Mr. Killian will present this information to the Public Services and Environmental committee to try and unite these groups to look at the future of the community as a whole.

VII. MINUTES

Mr. Killian made a motion to APPROVE the February 3, 2014 Regular Meeting Minutes, February 3, 2014 Worksession Meeting Minutes and the February 18, 2014 Regular Meeting Minutes. Ms. Whitaker seconded the motion.

The motion passed unanimously.

VII. ADJOURNMENT

Mr. Killian made a motion to ADJOURN the meeting. Ms. Whitaker seconded the motion.

The motion passed unanimously.

With no further business to come before the Board of Supervisors, Mr. Clemson adjourned the regular meeting at 8:14 pm.

Respectfully submitted,

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 03/17/2014