

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, April 7, 2014  
7:00 pm

### I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, April 7, 2014 at the Ferguson Township Municipal Building. In attendance were:

<b>Board:</b> Drew Clemson, Vice Chairman	<b>Staff:</b> Mark Kunkle, Township Manager
Elliott Killian	David Pribulka, Assistant Manager
Steve Miller	Maria Tranguch, Director of Planning & Zoning
Janet Whitaker	Diane Conrad, Chief of Police

*Others in attendance included:* Heather Bird, Recording Secretary; George Pytel; Jon Andrews, Mark Torretti, Joshua Potter, James Canner, Hugh Mose

### II. CALL TO ORDER

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

### III. CITIZENS INPUT

### IV. INTRODUCTION OF PLANNING AND ZONING DIRECTOR – MARIA TRANGUCH

### V. PUBLIC HEARING – ORDINANCES

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES APPENDIX H, STREETS AND SIDEWALKS AND CHAPTER 15, MOTOR VEHICLES BY ACCEPTING RIGHT-OF-WAY FOR BLUE COURSE DRIVE, CIRCLEVILLE ROAD, HAVERSHIRE BOULEVARD, NORTHWICK BOULEVARD, PRESTWICK BOULEVARD AND RUSHCLIFFE STREET FURTHER SETTING SPEED LIMITS ON HAVERSHIRE BOULEVARD, 30 MPH.; NORTHWICK BOULEVARD AND RUSHCLIFFE STREET, 25 MPH, ESTABLISHING A ROTARY TRAFFIC ISLAND ON HAVERSHIRE BOULEVARD, RESTRICTING TRUCK AND BUS TURNING MOVEMENTS FROM HAVERSHIRE ONTO PRESTWICK BOULEVARD, ESTABLISHING STOP INTERSECTIONS, ESTABLISHING YIELD INTERSECTIONS AND RESTRICTING PARKING ON RUSHCLIFFE STREET.**

Mr. Modricker stated that the above roads are the new roads taken over by the Township in the Turnberry development. When the Township takes over a road the Township must establish motor vehicle ordinances. This ordinance includes no parking restrictions on Rushcliffe Drive. The streets have been inspected and amenities are in place including bus stop, street trees, sidewalks, traffic signals, street signs and lighting and a bike path. The maintenance bond has been posted for one year from acceptance.

Mr. Killian made a motion to ADOPT Ordinance #985 amending the code of ordinances Appendix H, Streets and Sidewalks and Chapter 15, Motor Vehicles by accepting right-of-way for Blue Course Drive, Circleville Road, Havershire Boulevard, Northwick Boulevard, Prestwick Boulevard and Rushcliffe Street further setting speed limits on Havershire Boulevard, 30 mph; Northwick Boulevard and Rushcliffe Street, 25 mph, establishing a rotary traffic island on Havershire Boulevard, restricting truck and bus turning movements from Havershire onto Prestwick Boulevard, establishing stop intersections, establishing yield intersections and restricting parking on Rushcliffe street. Mr. Whitaker seconded the motion.

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

## **VI. 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 AN AGREEMENT BETWEEN FERGUSON TOWNSHIP (TOWNSHIP) AND STATE COLLEGE BOROUGH (BOROUGH) FOR A TRAFFIC SIGNAL MAINTENANCE AGREEMENT AT BLUE COURSE DRIVE AND WHITEHALL ROAD.**

Mr. Kunkle stated that this agreement is for the new traffic signal constructed in 2013 at the intersection of Blue Course Drive and Whitehall Road. Blue Course Drive is intended to be extended southward to allow access for a future development and the new regional park. A portion of the traffic signal is located in Ferguson Township and the Borough of State College. This agreement provides for sharing of the operational and maintenance costs of the traffic signal.

Mr. Killian made a motion to ADOPT Resolution #2014-12 authorizing execution of a traffic signal maintenance agreement between Ferguson Township and State College Borough. Mr. Miller seconded the motion.

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

### **I. COMMUNICATIONS TO THE BOARD**

Mr. Killian spoke to a resident who complemented the police department on their response to their car accident.

Ms. Whitaker received positive responses on the printed spring newsletter.

### **II. ACTION ITEMS**

#### **1. SJM ENTERPRISES – ST JOSEPH’S ACADEMY FIELD LIGHTING REQUEST**

Mr. Kunkle stated that Mark Torretti, PennTerra Engineering, is here tonight to answer any questions on behalf of St. Joseph’s Catholic Academy and its request to install athletic field lighting. The Planning Commission has looked at this request and determined with a 6-1 vote to recommend that the Board consider this plan for submission. On March 17 the plan was presented to the Board assuming use of the field for approximately 5-6 football games, due to more information that amount of games has been increased to approximately 14-16 including soccer and lacrosse. The largest concern of residents was the traffic on Leisure Lane as well as Mr. Joseph Homan’s concern of trespassing on his property. Some issues with the site still exist but will be addressed with the land development plan.

Ms. Conrad expressed concern in regards to Leisure Lane. Leisure Lane is a private lane which is available for common usage but is not an enforceable road for traffic issues. She would like to see the plans include agreements with residents regarding the roadway. Mr. Torretti stated they have been discussing solutions to the potential issues with the use of Leisure Lane.

Mr. Kunkle asked if it is anticipated for other youth programs to seek access to evening play at this field. Mr. Torretti responded that this is not the intent of the lighting but it has not been ruled out.

Mr. Killian made a motion to CONCEPTUALLY AGREE to proceed with a land development plan which includes athletic field lighting for the

The motion passed unanimously.

## **2. DISCUSSION OF PINE GROVE MOUNTAIN LOWER TRUCK ESCAPE RAMP PROJECT**

Mr. Miller stated that the Centre County Metropolitan Planning Organization (CCMPO) is looking at plans for the next two to 30 years. The Pine Grove Mountain lower truck escape ramp is the second phase of the overall plan for Pine Grove Mountain. The question presented at the CCMPO meeting was whether there is still support for the phase 2 project. Should this project be included in the 2015-2018 Transportation Improvement Plan (TIP) or the Long Range Transportation Plan (LRTP). The CCMPO has requested a response from the Township on their position with this project. CCMPO has presented three options for the project: (1) keep the project advancing on the 2015-2018 TIP (it is not on the preliminary draft TIP that District 2-0 presented) (2) defer the project (not included) on the new 2015-2018, but retain it on the new LRTP that is scheduled to be adopted this summer (3) do not include the project on the new TIP and new LRTP which would effectively terminate the project.

Mr. Killian stated that something should be done to increase the safety of the mountain and intersection but he is in favor of a traffic light over phase two of the project. He would vote to have this project removed from all of the transportation plans.

Ms. Whitaker asked how many vehicles have lost their brakes after first ramp to bottom of mountain. Nobody was aware of any incidents happening after the first ramp. She does not think that adding a second ramp increases the safety of the mountain. She has suggested instead of the ramp to install blinking lights on the mountain, at the required pull off install camera surveillance or use of water barriers further down the mountain. She would vote to remove the project.

Mr. Miller stated that the completed phase one was important but does not feel that adding a second ramp is necessary. His preference would be to remove this project. This would allow homeowners to have a final answer as to what is happening with their properties.

Mr. Clemson agreed with fellow Board member comments.

Mr. Kunkle confirmed that there have been two truck accidents over the last 40 years that have resulted in significant property damage and/or death.

George Pytel reminded the Board that if they remove this the money will be gone forever. He would like to see the intersection improved if the ramp is removed.

The Board consensus is to remove Phase Two of the Pine Grove Mountain Lower Truck Escape Ramp from the TIP and the LRTP and move forward on gaining money for other needed projects.

## **3. VARIANCES – CENTRE AREA TRANSPORTATION AUTHORITY – 2081 WEST WHITEHALL ROAD**

Mr. Kunkle stated the Board's policy is to review variances before they go to Zoning Hearing Board to determine if they would like to take a position on the variance request. Centre Area Transportation Authority has requested variances for landscaping around a parking area within structured parking and a variance for building height exceeded generally by light fixtures.

Mr. Killian made a motion to REMAIN NEUTRAL on the variance application of the Centre Area Transportation Authority. Mr. Miller seconded the motion.

The motion passed unanimously.

#### **4. CENTRAL PENNSYLVANIA ARTS FESTIVAL – SUE CROW MEMORIAL ARTS FESTIVAL RUN – SPECIAL EVENT**

Mr. Kunkle stated the Board adopted a Special Events Policy this past year. When there is utilization of bike paths, sidewalks and public streets, the application goes through an evaluation process with public works and police departments to determine what the impacts of the event may be. This event is for a 10 mile race in conjunction with Central Pennsylvania Arts Festival. Part of the 10 mile run on July 13 from 8:30 to 9:30 am, will utilize the Blue Course Drive Bike Path from West College Avenue to Teaberry Lane. The applicants have not requested the bike path be closed. Both public works and police departments have recommended approval.

Mr. Killian made a motion to APPROVE the Special Events application for the Central Pennsylvania Arts Festival, Sue Crow Memorial Arts Festival Run to be conducted on July 13, 2014 from 8:30 am to 9:30 am on the Blue Course Drive bikeway from College Avenue to Teaberry Lane. Ms. Whitaker seconded the motion.

The motion passed unanimously.

#### **5. FIRE HYDRANT EXONERATIONS**

Mr. Kunkle stated that a request has been made from the Township tax office to provide fire hydrant assessment exoneration for property owned by Pennsylvania State University, tax parcel 24-004-070G, in the amount of \$8.12. This property was purchased in the past year by the University changing the status of the property to tax exempt.

Mr. Killian made a motion to APPROVE the fire hydrant exoneration for tax parcel 24-004-070G in the amount of \$8.12. Ms. Whitaker seconded the motion.

The motion passed unanimously.

#### **6. CONSENT AGENDA**

Mr. Killian made a motion to APPROVE the consent agenda which includes a Surety Release for Thistlewood and a time extension for Tressler Subdivision. Mr. Miller seconded the motion.

The motion passed unanimously.

### **VI. REPORTS**

#### **1. Manager**

Mr. Kunkle reported that the variance hearing for Melanie Eng to permit further subdivision of a non-conforming parcel in the RA zoning district was denied by the ZHB. The annual audit of the Township is nearing completion and at this time no exceptions have been found. Mark will be attending Pennsylvania Municipal League legislative meeting in Harrisburg tomorrow. The focus of the meeting is municipal pension reform and Act 111 collective bargaining changes. The Township's next Coffee and Conversation is scheduled for April 19<sup>th</sup> from 8 – 9:30 am at the Giant Market Food Court. Centre County West Nile Virus surveillance and control season began at the end of March. Residents are reminded to remove standing water areas as these are breeding areas for mosquitos. District 2-0 is continuing its evaluation of Route 322 Potters Mills Gap Transportation project. They are accepting any comments on this project through 5pm on May 19<sup>th</sup>. The project information is posted on Centre Area Council of Government's website.

#### **2. Public Works Director---**

Mr. Modricker stated Township staff submitted an application for a grant through the Transportation Alternative Program for the West College Avenue streetscape project from Corl Street to Buckhout Street including predominately sidewalk and a conduit for future street lighting. The grant, if awarded, would cover the construction and inspection estimated at

\$777,000. The Township would have a match covering the engineering, utility relocation and any right-of-way acquisition. The match would be 36%. Microsurfacing is currently out to bid for opening on April 15<sup>th</sup>. Street trees are currently being planted in Hunters Chase and Saybrook. This is the week for brush collection and this month there will be an additional brush collection beginning April 21<sup>st</sup>.

### **3. Planning and Zoning**

Mr. Kunkle stated that the Planning Commission discussed the Zoning District Analysis by Centre Regional Planning Agency. The report came back favorable for Ferguson Township. The report included a few recommendations so the Planning Commission has requested the Board to authorize beginning a study of the RA and RR zoning districts changes in a comprehensive manner to identify changes in the rural zoning districts. The Toll Brothers project is under review.

### **4. COG Committee Reports**

#### **a. Human Resources**

Ms. Whitaker stated that the committee is currently editing and updating the non-discrimination policy. Human Resources are looking at changing some job titles. They have approved a new job description for Senior Building Inspector and eliminated the position Senior Commercial Inspector. The Billing Specialist position has been eliminated and a new position, Program Assistant, has been created. Kathy Prosek updated the committee on the Financial Assistant recruitment process with a deadline of April 8<sup>th</sup>. The Office Manager position was advertised twice and has been filled.

#### **b. Public Services and Environmental**

Mr. Killian stated that the committee discussed the \$5 million energy prize and what would need to happen to receive these funds. They discussed the Slab Cabin Run reclassification to Cold Water Fishery/High Quality Stream which greatly affects University Area Joint Authority (UAJA). They discussed options to continue to allow UAJA to release their discharge water into Slab Cabin. The next item discussed was community waste water. This is taking a look at combining Penn State, UAJA and State College Borough Water Authority and the stormwater system into one large system. They discussed the refuse and recycling contract and possibility of having a separate refuse contract.

#### **c. Transportation and Land Use**

Mr. Miller stated the meeting will be a joint meeting with Centre Region Planning Agency and will be tomorrow and they will go over the regional development report update and the draft comprehensive plan implementation program.

### **5. Other Non-COG Regional Committees**

#### **a. Centre County Metropolitan Planning Organization**

Mr. Miller stated that they received a presentation from Centre Area Transportation Authority (CATA) on their renovation project. They began discussing the 2015-2018 Transportation Improvement Plan and the Long Range Transportation Plan.

### **III. MINUTES**

Mr. Killian made a motion to APPROVE the March 17, 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 8:24 pm.

Respectfully submitted,

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Mark Kunkle, Township Manager  
For the Board of Supervisors

Date approved by the Board: 04/21/2014