

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, May 19, 2014
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, May 19, 2014 at the Ferguson Township Municipal Building. In attendance were:

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

Others in attendance included: Heather Bird, Recording Secretary; Cindy Hahn, C-NET; Mr. Tom Giles, Township C-NET Representative;

II. CALL TO ORDER

Mr. Mascolo called the Monday, May 19, 2014, regular meeting to order at 7:00pm.

III. PUBLIC HEARING – ORDINANCES

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 19, SIGNS AND BILLBOARDS, PART 1, SIGN REGULATIONS, SECTION 110, COMMERCIAL USES, SUBSECTION I, AUTOMOBILE DEALERSHIP SIGNS, BY DELETING THE EXISTING SUBSECTION 2(A)(2), SECONDARY GROUND SIGNS, AND SUBSTITUTING THEREFORE A NEW SUBSECTION 2(A)(2).**

Mr. Kunkle stated that the Board authorized advertisement of this ordinance at their May 5th meeting. This ordinance expands the use of secondary ground signs for automobile dealerships by removing the restriction that one of the secondary ground signs must be used for pre-owned automobiles and amends the section so the dealership can determine if the secondary signs will be used for pre-owned automobiles and/or a second automotive product line.

Mr. Killian made a motion to ADOPT Ordinance #987 amending Chapter 19, Signs and Billboards to permit secondary ground signs to be used for either pre-owned automobiles and/or two or more automotive product lines. Ms. Whitaker seconded the motion.

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

IV. PUBLIC HEARING – RESOLUTIONS

1. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING TEMPORARY PARKING REGULATIONS ON BOTH SIDES OF WEST CHERRY LANE BETWEEN NORTH ATHERTON STREET AND THE END OF WEST CHERRY LANE**

Ms. Conrad stated that this came to the attention of the Township after complaints for safety near the Radio Park School as too many cars are parking along the street. When vehicles are parked on the side of the road, the vehicle must go into oncoming traffic in order to get around the parked vehicles. This resolution would eliminate parking along the roadway for a 90 day period to determine if this should be made a permanent no parking roadway.

Mr. Killian made a motion to ADOPT Resolution #2104-16 establishing temporary parking regulations on both sides of West Cherry Lane between North Atherton Street and the end of West Cherry Lane. Mr. Clemson seconded the motion.

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

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION MULTIMODAL TRANSPORTATION FUND FOR WEST COLLEGE AVENUE TERRACED STREETSCAPE DISTRICT IMPROVEMENTS.

Mr. Kunkle summarized the information on Resolutions 2014-17 and 2014-18. Township staff has identified two potential additional funding opportunities to implement the Terraced Streetscape improvements on West College Avenue between Buckhout Street and Corl Street. Both of the application would be for a \$2 million project and both grants require 30-36% matching funds by the municipality. This would help to accomplish the goal of installing new sidewalks, street trees, street lighting, brick paver, right-of-way acquisition, designs and construction inspection.

The first resolution allows for an application to be filed with Pennsylvania Department of Transportation Multimodal Transportation Fund and the second resolution allows for an application to the Commonwealth Financing Authority Multimodal Transportation Fund. The Township's matching share would be secured through a short term (10 years) loan. Staff has identified the Pennsylvania Infrastructure Bank Loan as a potential funding source with an interest rate of a little over 1.6% and would be secured by the Township's Liquid Fuels Fund.

Mr. Killian made a motion to ADOPT Resolution #2014-17 authorizing the submittal of a grant application to the Pennsylvania Department of Transportation Multimodal Transportation Fund for West College Avenue Terraced Streetscape District Improvements. Mr. Miller seconded the motion.

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

3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE COMMONWEALTH FINANCING AUTHORITY MULTIMODAL TRANSPORTATION FUND FOR WEST COLLEGE AVENUE TERRACED STREETSCAPE DISTRICT IMPROVEMENTS.

Mr. Kunkle summarized the information with Resolution #2014-17.

Mr. Killian made a motion to ADOPT Resolution #2014-18 authorizing the submittal of a grant application to the Commonwealth Financing Authority Multimodal Transportation Fund for West College Avenue Terraced Streetscape District Improvements. Mr. Miller seconded the motion.

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

V. COMMUNICATIONS TO THE BOARD

Mr. Mascolo received a complaint about the library closing and the rallies detracting from the primary elections. He also received a call regarding the College Court Apartments sidewalk variance.

VI. ACTION ITEMS

1. CENTRE REGION BICYCLE ADVISORY COMMITTEE – MR. BRIAN DEMPSEY, CHAIR

Mr. Dempsey, Chair of the Centre Region Bicycle Advisory Committee and Vice President of the Centre Region Bicycle Coalition began by thanking the Board for the improvements along Whitehall Road and for working to take care of issues on the bicycle paths including tree roots and signage.

The creation of the Centre Region Bicycle Advisory Committee is the #1 recommendation from the League of American Bicyclists. Currently there are only four bicycle friendly communities in the state of Pennsylvania. This committee will allow for citizen input and allow the stakeholders to come together and discuss. All of the local bicycle clubs are involved, municipalities, Penn State and State College Area School District.

The Committee would like to take advantage of the stakeholders and to try and enforce bicycle safety. This would establish uniform enforcement for both bicyclists and motorists across the region.

2. CNET ANNUAL REPORT - MS CINDY HAHN,

Mr. Tom Giles, Township C-NET Representative, stated that C-NET just had their 25th anniversary. The first bulletin board messages were televised on July 1, 1988. During the current year the website was redesigned allowing for quick and easy access. In the future C-NET will be working on heading to HD. There are close to 500 new programs added to C-NET each year.

Ms. Cindy Hahn, Executive Director, described Ferguson Township's use of C-NET. In 2013 there were 23 Board of Supervisors meetings. In addition to that there were 56 bulletin board messages, which included the Board of Supervisors and Planning Commission Agendas. The messages are valued at 1/10 of a program giving the Township a total of 28.6 programs. This number is important because the funding formula is directly related to usage. In 2013, if you take all off the member programs together Ferguson Township sponsored 5.1% of all of the programming. In 2012 that same figure was 5.89%. The funding program is based on 5 years of programming so looking at 2009-2013 the Township sponsored 5.79% of all programming.

Mr. Kunkle verified that the sponsorship of Spring Creek Watershed is included in the Township's total programming.

3. COLLEGE COURT APARTMENTS, PLAN LAST DATED APRIL 2, 2014, PLAN DEADLINE JULY 13, 2014.

Ms. Tranguich stated that this is a proposal to add one multi-family building with 16 dwelling units and a storage unit to a parcel with six existing multi family structures and two single family structures. The underlying zoning is R4 and the total acreage for the parcel is 7.507 acres. In the memorandum provided to the Board comment numbers 5, 14 and 15 require Board action. #5 is a statement of the calculations used to determine the number of required parking spaces must be included on the plan. A modification must be obtained if spillover parking will not be included.

#14 states sidewalks are required along both sides of Martin Street and West Cherry Lane. A modification is required to continue the plan without the aforementioned sidewalks.

#15 states sidewalk connection from the proposed building to the public sidewalk is required. A modification is required to continue without the aforementioned sidewalk.

Township staffs opinion is that they are in favor of all of the modifications except #14, they believe a sidewalk does need to be installed on West Cherry Lane.

Mr. Kunkle reviewed the location of the sidewalk that staff would like to see installed.

Mr. Modricker reviewed the site where he took a number of photographs and measurements. A sidewalk could installed and be tapered to a narrow width in order to fit with the existing utilities.

The applicant is requesting that the board not require sidewalks in this area of the road.

Mr. John Sepp, Penn Terra Engineering, stated Mr. Dreibelbis could not make the meeting. Mr. Sepp stated that it appears the only individuals using the sidewalk would be the individuals living in the seven efficiency apartments.

Mr. Miller does not see a need for a sidewalk in this location.

Ms. Whitaker does not see a big need to install a sidewalk but with existing sidewalk and bus stop does see that the potential need may be there some day.

Mr. Clemson and Mr. Killian would like to see more data on the traffic through the area.

Mr. Clemson made a motion to APPROVE the College Court Apartments plan subject to the completion of the outstanding conditions as set forth in the Director of Planning and Zoning memorandum dated May 13, 2014 and to grant the modifications requested under numbers 5, 14, and 15 that deal specifically with parking spaces and sidewalks. Mr. Miller seconded the motion.

The motion passed by a vote of 4-1 with Mr. Killian voting against.

4. PENNSYLVANIA MUNICIPAL LEAGUE VOTING DELEGATE AND RESOLUTION COMMITTEE APPOINTMENT

Mr. Kunkle stated the Pennsylvania Municipal League Annual Convention will be held on June 17- 20th. Mr. Mascolo and Ms. Whitaker will be attending. The Board needs to appoint the voting delegate and alternate voting delegate.

Mr. Miller made a motion to APPOINT Mr. Mascolo as the voting delegate and Ms. Whitaker as the alternate voting delegate for the Pennsylvania Municipal League convention. Mr. Clemson seconded the motion.

The motion passed unanimously.

5. APPROVAL OF APRIL 2014 VOUCHER REPORT

Mr. Killian made a motion to APPROVE the April 2014 voucher list. Mr. Miller seconded the motion.

The motion passed unanimously.

6. CONSENT AGENDA

Mr. Killian made a motion to APPROVE the consent agenda which includes the April 2014 Treasurer's Report. Mr. Clemson seconded the motion.

The motion passed unanimously.

VI. REPORTS

1. Manager

Mr. Kunkle stated he was invited to attend the Greenleaf Homeowners Association meeting on Wednesday May 7th to discuss sidewalk repairs and maintenance. The Township received a letter from the CBICC thanking the Township for its financial support to the CBICC 3B33 Initiative. Included with the Manager's report was an attachment showing the winter salt usage. This was one of the worst winters in approximately 15 years. The Township made a shift in application rates and mixtures to conserve and be more environmentally friendly. The Township has the highest number of lane miles at 188 miles and we used 1126 tons of salt which is 6 tons per lane mile per year. Even with all of the staff efforts the budget was still exceeded by \$5,751.

2. Public Works Director

Mr. Modricker stated that he provided a quote to the Greenleaf Manor Homeowners Association to replace their privately owned street signs with Township standard signs which was accepted and the signs have been ordered. He also had an inquiry from Chestnut Ridge Homeowners Association about signs. In Hunters Chase the required 2 1/2" diameter trees are being planted. Last week the tree locations were marked and some were shifted from their original locations to lessen impacts on underground utilities. The areas where trees were relocated, the roots will be removed and the area will be reseeded.

3. Planning and Zoning

Ms. Tranguch stated that Planning Commission approved the College Court Apartments plan with conditions just as the Board did. The Commission also received a report from Jim May, CRPA, about the annual report and comprehensive plan. 35 permits were issued in April.

4. Chief of police

Chief Conrad stated that Part One crime was up a little bit at 15 compared to 10 last year. Part Two crimes were about the same at 66 this year and 64 last year. Other calls for service, nothing significant to note were 306 compared to 346 last year. Overall this year was down in calls. Traffic tickets were up 8% for the month and 45% year to date. Parking tickets were down in spite of the 33 issued for the Heights. Traffic stops and criminal arrests were both down. An incident for the month involved men from New York who cashed fraudulent travelers checks at Best Buy, Wegmans, Home Goods and PetCo. There was a death of a 29 year old scholar from West Africa, doesn't appear to be criminally suspicious. Officer Park participated in a contest for a new training video where he won. Chief Conrad and Mr. Killian attended the Happy in Happy Valley at Tudek Park to address unhappy residents. Sergeant Hendrick participated in Law Day, a program for 5th graders to understand the law system.

5. COG Committee Reports

b. Executive

Mr. Mascolo stated that the items listed in the Executive agenda will be covered under the following reports.

c. Finance

Mr. Mascolo stated that the committee reviewed the regional park loan. Whitehall Road Regional Park has been delayed and they have not drawn down on the loan yet, which is required by June 1, 2014. The proposal is to draw down \$2 million to put in separate account at Fulton Bank that can't be used until all other draws are exhausted. The committee went over CATA budget with no comments other than those made by Ferguson Township. COG hired a new Finance Assistant to be starting June 9th. COG will be going ahead with the new AccuFund accounting software. Bids were reviewed for payroll and pension from the Borough and Keystone.

d. Human Resources

Ms. Whitaker stated the committee met on May 7th. They discussed the upcoming library furlough, which ended today. The library expected to save \$30,000 by closing. The committee also discussed new job titles and job descriptions for multiple departments. Eight new positions have been proposed.

e. Parks Capital

Mr. Mascolo stated the committee reviewed a study by Trans Associates for recommendation on the modifications to Hess Field driveway. Harris Township notified COG that they felt the current driveway was a liability to the Township and COG. Trans Associates recommendation was to look at two alternatives, one is to widen entryway and one was to move it further east. The recommendation from the committee was to expand the existing road with a cost of approximately \$110,000 including engineering and design; relocating the road east would cost an additional \$100,000. The estimate will be brought forward to the program plan to determine where to get the funding. There is no money in the original park fund for this project. The committee reviewed the Whitehall Regional Park and at this time still waiting for Toll Brothers to finalize. The committee also discussed the regional park funding loan modification. The capital funding strategy was discussed on how to raise additional funds to finish phase two of Oak Hall, Whitehall Road and Hess Field. The representatives were to discuss with their Boards about the idea of fund matching.

f. Public Safety

Mr. Clemson stated the committee lost its leader Dave Fryer, currently Mr. Bryce Boyer as the Vice Chair is conducting the meetings. The committee discussed the personnel changes and proposed additional positions. These positions may come up in the program budget. The Borough of Bellefonte received a proposal from Centre Region Code to provide services. The COG will need to vote on this in order to get this set up. The mutual aide agreement with Keystone COG and Centre Region COG for code services is moving along. A draft agreement will be presented at the General Forum.

g. Public Services and Environmental

Mr. Killian stated that the committee talked about the \$5 million Georgetown grant. They have scheduled a special meeting to specifically discuss what needs to happen with this grant. The next grant deadline is June 30th. The committee had a Penn State presentation about the use of solar and a \$15 million energy grant to help communities develop multi-year solar programs. The refuse and recycling contract was modified coming up with final numbers. The recycling agreement will be separate from the refuse. They discussed the RGB/SSA and the future build out of the region and its relation to UAJA.

VII. ADJOURNMENT

Mr. Killian made a motion to ADJOURN the meeting.

With no further business to come before the Board of Supervisors, Mr. Mascolo adjourned the regular meeting to and Executive Session at 8:40 pm.

Respectfully submitted,

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 06/02/2014