

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, August 4, 2014  
7:00 pm

### I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, August 4, 2014 at the Ferguson Township Municipal Building. In attendance were:

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

**Staff:** Mark Kunkle, Township Manager  
David Modricker, Director of Public Works  
Maria Tranguch, Director of Planning and Zoning

*Others in attendance included:* Heather Bird, Recording Secretary; Louwana Oliva, Mark Torretti, Ed Roethline, Mike Poppus, Ryan Dreese, CATA; Joe Viglione, COG; Karen Mitchell, R. Clevenger, No Parking Signs; Christine Bailey and Wes Glebe, TS District Residents

### II. CALL TO ORDER

Mr. Mascolo called the Monday, August 4, 2014, regular meeting to order at 7:00 pm.

### III. CITIZENS INPUT

### IV. COMMUNICATIONS TO THE BOARD

### V. ACTION ITEMS

#### 1. CENTRE AREA TRANSPORTATION AUTHORITY LAND DEVELOPMENT PLAN – PLAN LAST DATED JULY 1, 2014 PLAN DEADLINE SEPTEMBER 29, 2014.

Ms. Tranguch stated the land development plan proposed significantly expanding the CATA facility. The facility is located within the Industry, Research and Development (IRD) zoning district. The parking facility is proposed to be 48 feet tall including lighting with 158 parking stalls. The expansion also includes a proposed bus maintenance building including 22,734 square feet of office space 13,936 square feet of industrial space and 10 bus repair bays. The bus storage building is proposed to be 26 feet tall.

Mr. Mark Torretti, Penn Terra Engineering and Ed Roethline, CDM Smith reviewed the existing site and the future proposed buildings. Mr. Torretti stated that throughout the entire project the CATA bus storage, fueling and maintenance will remain on the current site. The existing administration building will be demolished and the employees located within that building will be temporarily moved off site until completion of the new facility. The project will occur in three stages. The first stage will be the demolition of the existing administration building and will be replaced with the new proposed parking deck. The next phase will be construction the bus maintenance facility. This phase will include the construction of the new administration offices. The final phase of the project will be the new CNG fueling area and the expansion of the current maintenance building.

Mr. Clemson made a motion to APPROVE the Centre Area Transportation Authority Land Development Plan subject to the completion of the outstanding conditions as set forth in the Director of Planning and Zoning memorandum dated July 31, 2014. Ms. Whitaker seconded the motion.

The motion passed unanimously.

## **2. REVIEW OF 2015 COG PROGRAM PLAN**

Mr. Kunkle stated this has been referred to the participating municipalities by the General Forum for review and comment by August 21<sup>st</sup>. The Board will have this meeting and its meeting on August 18<sup>th</sup> to complete their review. Mr. Kunkle and Mr. Endresen provided a memorandum to the Board with staff review comments on the Program Plan.

Mr. Mascolo began by reviewing the memorandum from Mr. Kunkle and Mr. Endresen.

- Whitehall Road Regional Park – Toll Brothers submitted a letter stating they would be officially withdrawing their current PRD with the intention of filing a new plan. It is anticipated that this plan will be received in a couple weeks.
- Board agreed that plans for a new CRPR maintenance facility should be held off until the Toll Brothers plan is approved
- Board agreed that office cubicles could be used to accomplish needs in office remodel
- The \$75,000 increase in personnel costs (Finance Director and Finance Associate) will be allocated to the COG agencies
- Board agreed that a commercial refuse and recycling contract should be considered
- Board agreed that a reserve cap in the medical insurance fund should be established allowing for refund of excess monies above the cap to the municipalities and employees based on contributions
- The Alpha Fire Station is not an emergency shelter and Emergency Management Program funds were not used to upgrade the Alpha Station emergency generator
- Mr. Joe Viglione stated the \$50,000 Tyler cloud server based in the Borough would have the cost shared by the municipalities. Mr. Mascolo stated that he does not agree with this, the service is being completed for the benefit of the Borough
- Mr. Viglione stated that approximately 75% of the funds have been set aside for the new Fire Training Trailer
- In regards to the Schlow Library position for endowment funds, Mr. Mascolo stated that the funds received would go to the General Fund and those monies would pay the salary. Mr. Clemson stated that if Schlow is hiring for this position that the individual should be raising enough funds to cover the cost of salary.
- Mr. Viglione stated that Schlow has one full time and two part time IT people and would like to increase one part time IT employee to a full time position
- Board supports the proposed reduced operating hours for the library
- Mr. Mascolo does not agree with the Energy Conservation Coordinator position. Mr. Clemson stated that this should be further looked into
- Mr. Kunkle stated that Mr. Jim Steff confirmed that the PSU contribution to the Fire Department operating fund is not static
- Mr. Mascolo stated that the Authority already approved the Hess Softball Field driveway widening although it is not funded yet.
- Mr. Viglione stated that the slide timer for the pools allows the next slider to know when they can go down the slide. Mr. Clemson stated this is for safety

Mr. Mascolo began review of the Program Plan.

- page 10 – assumptions – Township uses funding formula for the Schlow Centre Region Library with Penn State students
- page 11 – restated the comment about the CRPR parks maintenance facility
- page 12 #3 – restated that the software costs for the Tyler interface should be paid for by Borough since they are only to accommodate the Borough
- page 13 – employee compensation 2015 – 1.5% merit increase for employees and 1.6% cost of living increase – no objections

- page 14 Finance Officer/Director – no objections – total \$125,000 – \$130,000 which is comparable to the amount previously paid to the Borough
- page 15 - \$10,000 donation to Boalsburg for generator which is already part of construction. Mr. Viglione stated this amount is based on the shelter which is 40% of the generator cost
- page 15 – adding two new codes examiners – no objection
  - Mr. Mascolo pointed out that Code is internally funded, municipalities do not contribute any money to Code operation
- Code would like to revise the lobby and add space at approximately \$100,000 – again this would be funded through Code
- page 15 – addition of Deputy Code Director – Mr. Clemson stated that Code does have significant expansion and if they as self-supporting entity should make their decisions for personnel
- page 16 – supported reduced permit fees for manufactured homes by 20%
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- fire trailer – the money set aside for this is listed in the CIP Budget
- page 17 – library – reducing hours – closing on statistically low usage weekend days only
- Mr. Miller comment on the Development Officer for Schlow - \$70,000. The assumption of this would be this individual will be able to contribute more funds to the library
- page 18 – Mr. Mascolo, Mr. Clemson and Mr. Miller do not see the need for an Energy Conservation Coordinator at a cost including benefits of \$65,000 – \$85,000.
- page 20- senior services center – when lease is up look for new site that includes better parking – Mr. Mascolo stated that the senior center is overstaffed with two full time employees
- Hess Field driveway expansion has been approved by the authority at approximately \$110,000
- Regional Park Capital fund – (page 21) Three proposals (1) is to engage fundraiser professional to conduct a fundraising campaign (2) establish a municipal matching program – where municipalities match contributions (3) create a targeted donation program aimed at selected groups. Board agreed that all three options should be done

Mr. Mascolo began review of the detail of the Program Plan beginning on page 47

- For 2016 Mr. Mascolo stated COG should go to cloud based program rather than purchase new equipment.
- building expansion – this could be avoided by Centre Region Parks and Rec moving to a new facility.
- Finance Officer – pension administration and risk management should be removed by the Finance Department at COG. Mr. Viglione stated that at this time the future of these are unclear
- Page 49 – insurance costs – Mr. Miller questioned the amount of increase each year. Mr. Viglione stated this year the increase is anticipated 12% with the last two years being 8% and 9%. Mr. Kunkle reviewed the COG/municipality program and stated that if employees keep cost down, 70% of the surplus may be refunded to the municipalities and COG which helps to lower the increase each year
- page 67 – expanding parking around the building – Mr. Mascolo asked how many spaces are planned to be added and what is the impervious coverage increase
- page 71 – insurance reserve fund – shows the allocation of cost. Mr. Viglione stated that municipal contributions have been offset by the funds built up in this account
- page 93 – adding a half time permit technician for adding additional data to the Borough and COG software system. Mr. Mascolo stated the Borough should be responsible for this extra cost, other municipalities should not have their permit fees increased because of this cost

- page 134 – planning – again the Energy Coordinator is not a justified position
- page 135 – affordable housing stewardship program – Mr. Mascolo does not agree with this program. Affordable housing programs should be controlled by each individual municipality. Mr. Miller stated that the Township does not have a program in place for this. Mr. Kunkle stated that if the affordable housing program is going to be legacy program there would need to be a service to qualify future purchases of the property, if it is not a legacy program then it will be a one and done program where the home will be affordable to the first purchaser and the market would control the future purchasers. Mr. Mascolo stated it would need to be legacy program in order to avoid the initial homeowner making a large profit on the sale of the home. Mr. Miller stated when the TTD was originally passed the discussion was to have a non-legacy program. Mr. Clemson stated that the market should control what happens with the property.
- Page 190 – swimming pools – since the pools were rebuilt the program has been self-supporting and has been contributing funds to the capital costs. No objections to these requests.

Mr. Mascolo stopped at this point in the Plan; the Capital Improvement Program Plan will be reviewed at the August 18<sup>th</sup> meeting.

### **3. PROPOSED SIGN ORDINANCE AMENDMENTS 2016 – MARIA TRANGUCH, DIRECTOR OF PLANNING AND ZONING**

Ms. Tranguch stated that College Township had to defend their sign ordinance at the US District Court. As a result of that case part of College Township's sign ordinance was deemed unconstitutional. Ferguson's sign ordinance has areas that are very similar to College Township's. After a meeting with Ms. Tranguch, Mr. Ressler (Township Zoning Officer), College Township and Mr. Steinberg (Township Solicitor) some proposed changes have been made to the Township's ordinance. The changes include in Chapter 19 – signs and billboards – clarifies that the Sign Officer is indeed our Zoning Officer, adding a timeline for the issuance of permits - this language was copied from the Zoning Code, Chapter 19 Section 110 – removes the requirement for a special exception and lastly eliminates the requirement for a site plan for an off premise sign.

Ms. Clemson made a motion to AUTHORIZE staff to prepare an ordinance amending the Township's Sign Ordinance, Chapter 19 of the Code of Ordinance to address the US District Court decision with regards to College Township's Sign Ordinance. Mr. Miller seconded the motion.

The motion passed unanimously.

### **4. REPORT ON REVISED NO PARKING ON CUL-DE-SACS / TURNAROUND AREAS – DAVID MODRICKER, PUBLIC WORKS DIRECTOR.**

On July 7<sup>th</sup> the Board received a report and took public comment on proposed no parking regulations. In January a temporary ordinance was passed in response to an incident that involved Public Works personnel. As a result of the July 7<sup>th</sup> meeting, Mr. Modricker reviewed the 22 locations in question. He looked at each location to determine if it was best to be posted 24/7 no parking or only restricting parking after a 2 inch snowfall. The results include 16 areas to be posted with 24/7 no parking, which in general include locations with dead ends and limited turn movements and six streets to be posted no parking after a 2 inch snowfall. And 8 locations that Mr. Modricker would suggest the Board consider building turnarounds in current dead end streets.

Mr. Clevenger, Owens Drive resident, stated that he understands the reason for the no parking but it is not optimal for his home. He expressed the need for the road to have a paved turnaround area at the end of his street. He questioned how long this may take to construct this. Mr. Modricker

reviewed the need for a turnaround at the end of Owens Drive and at this time it is unknown when a turnaround will be constructed.

Ms. Whitaker made a motion to AUTHORIZE staff to notify adjacent property owners affected by the parking restrictions on certain cul-de-sacs and turnarounds prior to public hearing on an ordinance establishing these parking restrictions. Mr. Mill seconded the motion.

The motion passed unanimously.

## **5. VARIANCES**

### **A. SCOTT L. AND GLENDA C. YOCUM – 1000 WEST COLLEGE AVENUE**

Mr. Transguch stated this variance is for property located at 1000 West College Avenue. The applicant is requesting four specific variances including requirement to maintain a street wall at least two stories and 30 feet in height and a minimum of 65% of the lot frontage on South Butz Street, given the parking needed having a the wall extend onto the side street is difficult and may be a change that comes in the new TSD; variance from impervious coverage, the maximum allowed is 75% and the applicant is proposing 79.86%, their proposal is for pervious paving, the lot is currently 99% impervious so this would be an improvement; variance to not be required to install street trees on Butz Street because they would fall in the site distance and lastly a variance to locate benches and trash receptacle closer to the buildings as opposed to closer to the street.

Mr. Mascolo stated that moving the benches may negate the planning for streetscaping. Ms. Transguch stated that this would still be providing a pedestrian friendly environment and research suggest that pedestrians are more comfortable against a wall and this would not compromise the integrity of the TSD.

Mr. Miller made a motion to REMAIN NEUTRAL on the variances requested for the land development plan for 1000 West College Avenue. Mr. Clemson seconded the motion.

The motion passed unanimously.

Mr. Torretti stated that the first two items will be Zoning Hearing Board variances and the last two mentioned would be Board approved as a changed to the subdivision and land development.

Mr. Wes Glebe, Butz Street resident, questioned the height of the corner building. He understood that these buildings were to be a minimum of 5 stories and this plan is 14 feet and 4 stories, why aren't they requesting a variance for this? Mr. Torretti stated that the requirement is not for 5 stories but a height of 55 feet and that is what this building would be.

### **B. SCIENCE PARK ROAD ASSOCIATES AND ACCUWEATHER, INC – 385 SCIENCE PARK ROAD**

Ms. Tranguch stated this request is for a variance of the sign ordinance, Accuweather would like to install a larger sign than is permitted in the ordinance. The current sign is 84 square feet in sign and the new sign would 140.625 feet.

Mr. Clemson made a motion to REMAIN NEUTRAL on the sign variance application of Science Park Road Associates and AccuWeather, Inc. 385 Science Park Road. Ms. Whitaker seconded the motion.

The motion passed unanimously.

### **C. CONSENT AGENDA**

Mr. Clemson made a motion to APPROVE the consent agenda which included Payment Authorizations for Glenn O. Hawbaker, Inc. in the amount of \$135,170.56 for 2014-C1 Capital Road Paving Projects and Recon in the amount of \$302,690.85 for 2014-C2 Paving Projects 2014 and Surety Reductions for Turnberry TTD, Phase 1 in the amount of \$156,141 and Turnberry TTD, Phase 2A in the amount of \$319,687. Mr. Miller seconded the motion.

The motion passed unanimously.

### **VI. REPORTS**

#### **1. Manager**

Mr. Kunkle stated that bridge replacement on Marengo Road is scheduled to begin on August 11<sup>th</sup> and will close Marengo Road for several weeks.

#### **2. Planning and Zoning Director**

Ms. Tranguch stated the Planning Commission meeting occurred on July 28<sup>th</sup> but lacked a quorum. Eight plans are currently under review by staff that have not been heard by the Board yet and have five plans that have been approved by the Board but are still awaiting completion of the comments.

#### **3. COG Committee Reports**

##### **a. Transportation and Land Use**

Mr. Miller stated the committee met August 4<sup>th</sup> and the main discussion was the bicycle safe cities application which will be approximately a one year project. Another item discussed was is the Centre Region is the best point of contact for business and it was decided that CBICC is currently best point of contact for businesses who plan to relocate to this area.

### **IX. MINUTES**

Mr. Miller made a motion to APPROVE the July 21, 2014 Regular Meeting Minutes. Ms. Whitaker seconded the motion.

The motion passed unanimously.

Ms. Whitaker made a motion to APPROVE the July 24, 2014 and July 29, 2014 Worksession Meeting Minutes. Mr. Clemson seconded the motion.

The motion passed unanimously.

### **VII. ADJOURNMENT**

Mr. Clemson 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. Mascolo adjourned the regular meeting at 8:43 pm.

Respectfully submitted,



Mark Kunkle, Township Manager  
For the Board of Supervisors  
Date approved by the Board: 08/18/2014