

## **FERGUSON TOWNSHIP BOARD OF SUPERVISORS**

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

### **I. ATTENDANCE**

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

**Board:** Richard Mascolo, Chairman  
Elliott Killian  
Janet Whitaker

**Staff:** Mark Kunkle, Township Manager  
David Pribulka, Assistant Township Manager  
Maria Tranguch, Director of Planning and Zoning  
Diane Conrad, Chief of Police

*Others in attendance included:* Heather Bird, Recording Secretary; Jim Serene and Paul Rito, Centre Region Bicycle Coalition

### **II. CALL TO ORDER**

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

### **III. CITIZENS INPUT**

Mr. Elliott Killian, 1319 Harris Street, is a fifth year senior at Penn State University planning to graduate in May. May is a time of year that many seniors will make decisions on where they want to live. Many of the students will not pick State College. But why is that, the community has great parks, public schools, open space, low crime and excellent fire protection. The Unite Foundations Community Report backs this up, stating that that Greater State College area excels in most of these categories except in the category of Welcomeness to Young Professionals. Parks and good schools are desired by young families but not by young professionals. Young professionals are looking for a job and a place to live. Jobs are created by small businesses. What can the Township do to create new businesses and jobs? Ferguson Township could fund start up grants to encourage residents and young professionals to start businesses in the Greater State College area. Also the Township could encourage CBICC to invest in startups. Mr. Killian would like the Township to consider these options moving forward for everyone to have a better place to live.

### **IV. PRESENTATION OF RECOGNITION AWARD – JIM SERENE, PRESIDENT, CENTRE REGION BICYCLE COALITION**

Mr. Jim Serene, President of the Centre Region Bicycle Coalition (CRBC), stated that CRBC was formed 14 years ago. Mr. Serene is a retired surgeon at Penn State Hershey, with his recent retirement and interest in bicycling he volunteered to be the President of CRBC. Paul Rito, along with Mr. Serene, presented the Ferguson Township Board of Supervisors the Most Outstanding Bicycling Advocate Award for 2014. In the past awards have been presented to a College Township Council member and the Transportation Planner for the Centre Region. The mission and purpose of the CRBC is a completion of a comprehensive network of bikeways, effective and continuing maintenance of all bikeways including winter maintenance, bicycle safety program and education for both cyclists and motorists, public parking and facilities for bicycle commuters and advise county municipalities about bicycle related issues.

Mr. Paul Rito stated he has been involved in CRBC since 2004 and has seen a lot of activity in the region with increasing bike paths and shared use paths. He has noticed that a lot of this activity has been located in Ferguson Township including Blue Course Drive, Science Park, Gatesburg Road, Foxpointe, Autumnwood and Havershire which all have been opened in the last few years. In a current ongoing poll these are being seen as some of the most used paths in the area. The Boards consideration of cyclists and pedestrians when new or rehabbed street projects are proposed is unmatched in the area. There is one reason for that, connectivity. Only in Ferguson Township can

you ride approximately 15 miles in off road, shared use paths. Including the new Whitehall Road shoulders the amount of mileage would be increased. The planning and execution are a model for the community and other municipalities should strive to match the Township. The icing on the cake is the addition of four new paths for winter maintenance.

Mr. Killian thanked them and accepted the award on behalf of the Township.

## **V. PUBLIC HEARINGS – ORDINANCES**

### **1. A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CHAPTER 15 MOTOR VEHICLES AND TRAFFIC, PART 4, GENERAL PARKING REGULATIONS, (1) SECTION 403 PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS AND (2) SECTION 404 PARKING PROHIBITED IN CERTAIN LOCATIONS CERTAIN DAYS AND HOURS.**

Mr. Kunkle stated previously the Board of Supervisors adopted resolutions that implemented temporary parking restrictions on certain roadways in the Township. This ordinance will make these parking restrictions permanent and include parking limitations on certain streets for certain days and times in order to accommodate street sweeping, snow removal and brush collection activities. West Cherry Lane and Route 45 - Shingletown Road will prohibit parking on both sides at all times. In the Turnberry development Havershire Boulevard, Northwick Boulevard and Old Gatesburg Road will have limited parking one day a week for an eight hour period. The parking limitations will be amended on Rushcliffe Street by prohibiting parking on the east, west, north and south sides Monday 2am thru Wednesday 2am.

Ms. Whitaker questioned if the times will be posted on a sign in the said parking area. Mr. Kunkle responded yes.

Mr. Killian made a motion to ADOPT ordinance 994 amending Chapter 15 Motor Vehicles and Traffic by adopting revised parking regulations on West Cherry Lane, PA Route 45 – Shingletown Road, Havershire Boulevard, Northwick Boulevard, Old Gatesburg Road and Rushcliffe Street. Ms. Whitaker seconded the motion.

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

## **VI. PUBLIC HEARINGS – RESOLUTIONS**

### **1. A PUBLIC HEARING ON A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING RESOLUTION #2013-28 BY ADOPTING A REVISED SIDEWALK SNOW REMOVAL MAP.**

Mr. Kunkle stated this resolution is adopted annually. The map depicts the sidewalk system that will be subject to snow removal requirements and the bikeways that will be cleared over the 2014-15 winter months.

Mr. Mascolo asked if this map is available on the Township website. Mr. Kunkle stated that it is not at this time but will be available on the website.

Mr. Killian made a motion to ADOPT resolution 2014-31 repealing resolution #2013-28 and adopting a revised sidewalk snow removal map. Ms. Whitaker seconded the motion.

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

## **VII. COMMUNICATIONS TO THE BOARD**

### **VIII. ACTION ITEMS**

#### **1. RECEIVE THIRD QUARTER FINANCIAL REPORT – MR. ERIC ENDRESEN, DIRECTOR OF FINANCE**

Mr. Endresen expressed his gratitude to the Board of Supervisors and the Township Manager for the approving the purchase of the new Springbrook accounting software. The new system offers the ability to complete many reports that were not previously available. The information presented was the fund balances and financial report for the period ending September 30<sup>th</sup>. The report did not cover the pension plans or the Tudek trust. The September 30, 2014 cash balance compared to the same date in 2013 identifies the changes from one year to the next. This is important in determining the trends in operation. It is not the only factor but an important one. The Township is a not for profit and has an obligation to the tax payers to use the funds to benefit the people so the goal is not to accumulate cash but have sufficient reserves for long term sustainability. The General Fund balances are comparable for the periods indicating that cash receipts and disbursements are similar in a 12 month period however; the budgeted transfer to the Capital Reserve of \$500,000 has not been made as of September 30<sup>th</sup>. Once this transfer is completed the General Fund balance will be reduced. With this transfer being made in October the Capital Fund will be cash neutral for 12 months. Be aware that the Regional Capital Recreation Projects Fund received a one-time payment of \$700,000 from Circleville Road Partners, LP. This amount was the full amount due and was originally scheduled to be spread over a number of years. The Special Revenue Fund increase is due to the receipt of state liquid fuels funding. The Township financials for 2014 are strong, better than expected. The General Fund is healthy and the remaining funds are surpassing budget. For the second year in a row the transfer taxes are exceeding budget. Since this revenue source is so unpredictable and it has pronounced impact on the budget the Township uses caution when setting the budget amount. The total Net Revenue for year to date ended September 30<sup>th</sup> is \$1.967 million. It is important to note that most of the revenue has been collected for the year but most of the capital expenditures have not yet been paid so the amount will change. Looking at tax revenues from 2013 and 2014, revenues are increasing. While the transfer taxes are less in 2014 than 2013 they are exceeding the budgeted amount for 2014. Notable transactions include the Lezzer Haubert paid in full contract, the transfer tax amounts received nearly doubled the budgeted amount of \$250,000, the Act 205 funding was received, funding was provided for three easement purchases, a used 2014 bucket truck was purchased, a replacement chaise and cab were purchased. Coming up in the fourth quarter will be the 2014 construction project expenditures and the annual General Fund transfers to Capital Reserve and Ag Preservation Funds.

Mr. Kunkle commented that the Circleville Road Partners, LP payment is for the Turnberry development.

#### **2. APPROVAL OF SEPTEMBER 2014 VOUCHER REPORT**

Mr. Killian made a motion to APPROVE the September 2014 Voucher Report. Ms. Whitaker seconded the motion.

The motion passed unanimously.

#### **3. CONSENT AGENDA**

Mr. Killian made a motion to APPROVE the consent agenda including the September 2014 Treasurer's Report. Ms. Whitaker seconded the motion.

The motion passed unanimously.

## **XI. REPORTS**

### **1. Manager**

Mr. Kunkle stated the County Agricultural Land Preservation Board (CALPB) has adopted new evaluation criteria to prioritize farms for eligible funding of agricultural conservation easements. All current farms (65 farms currently) will be cleared from the eligibility list and a new application period beginning November 1 through December 15 will be open. In order to leverage the maximum state funds available for agricultural conservation easement purchases, the CALPB is requesting participating funding partners to "commit" funding for 2015. This commitment of funds can only be used for purchase of agricultural conservation easements in the Township. Annually the Township has budgeted between \$15,000 and \$30,000 to be placed in a restricted Agricultural Preservation Fund. As Mr. Endresen highlighted the Township expended \$47,403 to acquire 316 acres of easements, leaving a fund balance of \$53,066. During the 2015 budget process the Board will be asked to decide if a commitment of funds should be made and if so in what amount. A copy of the letter received from the CALPB was provided to the Board. The fund balance issue was highlighted because the Board has always maintained a balance in this fund between \$80,000 and \$90,000. The new approach to leveraging state funds will be difficult and not necessary because the commitment of funds will be able to advance farms that meet the eligibility criteria in the Township quicker than they would have advanced in the past based upon a points systems. When funding is available those farms will move up the list quicker. This will be discussed during Budget review. The Board received a copy of the Water Resources Monitoring Project 2013 Water Resources Report. The 2015 Proposed Budget is scheduled for distribution to the Board of Supervisors on November 3<sup>rd</sup>. Budget worksessions are scheduled for Wednesday, November 19<sup>th</sup> and Thursday, November 20<sup>th</sup> beginning at 6 p.m.

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

Ms. Tranguch stated the Planning Commission meeting for Monday October 13, 2014 occurred as scheduled. The only agenda item was the Toll Brothers presentation which the Board had previously heard. Overall, the feedback was mainly positive in comparison to the previous plan submitted. The notes from the October 13th Planning Commission meeting will be provided to the Board at the November 3, 2014 Board Meeting so that the Board may see all of the comments from Commission members. There are currently nine plans under review. Six of the plans have not yet been heard by the Board of Supervisors. On the September 2014 Permit Activity Report there were 41 permits issued in September with the fees totaling \$2,315. This was the most permits issued in a single month in 2014.

### **3. Chief of Police**

Chief Conrad stated the Part One crimes are down for the month and year to date with zero assaults. Part Two crimes are pretty much the same as last year. So the total crimes are up by one for the month and down year to date. Other calls for service were up a little for the month and about the same year to date, DUI's down a little bit. Officer initiated activity traffic citations, parking tickets, supplements and hearings were up for the month while traffic stops and criminal arrests were down. Special notes National Prescription Take Back Day was conducted on September 27<sup>th</sup>. 62 pounds of substances were turned in. The department assisted the Borough of State College with a celebration when the NCAA sanctions were lifted and the students celebrated in the canyon. Interesting information that on the Saturday of the Penn State v University of Massachusetts football game (September 20th), there were 119,108 Push-To-Talk (PTT) requests on the new 800 MHz Radio System. The highest number in one hour was between 1 & 2 PM with 7,878 talk requests. The drug task force detective assisted on a search warrant service and subsequent arrest of the dealer on September 30th in State College Borough which netted \$28,870 in cash which was substantial until the most recent one of \$150,000. A school presentation was done on the all hazard response plan.

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

##### **a. Executive**

Mr. Mascolo stated it will be held tomorrow and will be primarily covering the 2015 COG budget. Mr. Kunkle questioned if Mr. Mascolo could request that the review due date could be pushed back.

##### **b. Finance**

Mr. Mascolo stated all the items were approved at the October 7<sup>th</sup> meeting including transferring funds, transition to Accu Fund and the voucher report was approved.

##### **c. Parks Capital**

Mr. Mascolo stated the committee meeting was held on October 9<sup>th</sup>. The Whitehall Road Regional Park Phase 1 was reviewed and because the plan was delayed for a couple years they may be short on funds. The regional park development time line was discussed and will not be completed until the Toll Brothers project has final approval. Nothing will be done with Phase 2 at this time. Mr. Killian questioned sponsorship activities for this Phase. Mr. Mascolo stated that in 2015 they plan to hire a consultant to create a fund raising plan.

##### **d. Public Safety**

Mr. Pribulka stated that Walt Schneider was at the meeting discussing the partnership with Bellefonte and the exchange of information between the Borough and COG's permitting software. Steve Bair was also there providing an update on the new aerial truck.

##### **e. Public Services and Environmental**

Mr. Killian stated the committee met at the Township building and discussed brush collection and organic collection. Brush collection is mandated by state law because years ago over 50% of our trash was made up of things that could be composted. College Township discussed the brush and leaf collection and the problems associated with it. College would like to move away from this collection and would like to see it done at a regional level. This would free up the Public Works department for other projects. The committee discussed organics collection and the hope to implement an organics program before next trash contract is issued.

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

##### **a. Spring Creek Watershed**

Mr. Killian attended the meeting. The budget was discussed. Ferguson Township pays dues of approximately \$200. The Commission is considering hiring an individual to take minutes and update the website. Currently there are no employees of the Commission.

#### **X. MINUTES**

Mr. Killian made a motion to APPROVE the October 6, 2014 Regular Meeting Minutes. Ms. Whitaker seconded the motion.

The motion passed unanimously.

**XI. 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. Mascolo adjourned the regular meeting at 7:51 pm.

Respectfully submitted,

A handwritten signature in black ink, reading "Mark A. Kunkle", is enclosed within a thin black rectangular border.

---

Mark Kunkle, Township Manager  
For the Board of Supervisors  
Date approved by the Board: 11/03/2014