

## **FERGUSON TOWNSHIP BOARD OF SUPERVISORS**

Regular Meeting  
Monday, June 15, 2015  
7:00 pm

### **I. ATTENDANCE**

The Board of Supervisors held its first regular meeting of the month on Monday, June 15, 2015, at the Ferguson Township Municipal Building. In attendance were:

**Board:** Richard Mascolo, Chairman  
Andrew Clemson, Vice Chair  
Janet Whitaker  
Steve Miller  
Elliott Killian

**Staff:** Mark Kunkle, Township Manager  
David Pribulka, Assistant Township Manager  
David Modricker, Public Works Director  
Diane Conrad, Chief of Police  
Ron Seybert, Township Engineer

*Others in attendance included:* Heather Bird, Recording Secretary; Mike Twomley, Pam Steckler, William Hechinger, Laura Dininni, Peter Buckland, Wes Glebe, Christine Bailey, Rita Wasson, Constance Farrell, George Pytel, Michael Garrett, John LeClair, Diane Boden, Duke and Monica Gastiger, Mary Ann Kresen, D. Wriglesworth, Mick Trombley, Marie Librizzi, Colleen Unroe, John Sepp, Albert Drobka, Rhonda Stern, Nick Shaeffer

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

Mr. Mascolo called the Monday, June 15, 2015, regular meeting to order at 7:00 pm.

### **III. CITIZENS INPUT**

Mr. George Pytel, resident, commented about the Toll Brothers plan. His opinion is that changing the zoning to R4 gave more control over the land than if it were agricultural. He feels the Board has put in a lot of effort to protect water in the community.

Ms. Laura Dininni, resident, reminded individuals that Solar 2015, a national conference of solar experts, is coming to town July 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>. She encouraged community members to participate.

Ms. Colleen Unroe, resident, raised concern about a laptop and tablet that was stolen from an unlocked car in her neighborhood. Ms. Conrad responded that the case is open and she reminded residents to keep their car doors locked.

Mr. Bill Hechinger, resident, spoke in response to Mr. Pytel's comment. He stated that the farm land is owned by Penn State and they should be working with the Township with controls. Mr. Mascolo stated the University leases the land to an individual to farm.

Mr. Peter Buckland, resident, spoke in response to Mr. Pytel's Comment. He stated that the way the land is used has an effect on the wastewater. The farmland would be a better filter than the proposed swales for the development. He also stated that he would like to see innovative stormwater technologies and low impact development on larger plans such as PRDs and R4 developments.

### **IV. PUBLIC HEARINGS – ORDINANCES**

- 1. A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 27, ZONING, AS FOLLOWS: (1) BY ESTABLISHING PART 2, DISTRICT REGULATIONS, SECTION 204.QQ REGULATING FARM CAFÉ ESTABLISHMENTS; (2) BY AMENDING PART 3, RURAL DISTRICTS, SECTION 301, RURAL AGRICULTURAL DISTRICT, TABLE 301, CRITERIA AND STANDARDS FOR THE**

**RURAL AGRICULTURAL DISTRICT TO PERMIT FARM CAFÉ ESTABLISHMENTS AS A CONDITIONAL USE ACCESSORY TO A PRIMARY USE IN THE RURAL AGRICULTURAL ZONING DISTRICT; AND (3) BY AMENDING PART 12, DEFINITIONS, SECTION 1202 TO ADD THE DEFINITION OF FARM CAFÉ.**

Mr. Pribulka stated the Board provided comment on the draft ordinance on June 1<sup>st</sup>. The substantive changes recommended by the Board included removal of restriction on hours of operations and defining region with regard to permitted retail sales as region five as defined by the Pennsylvania Department of Agriculture which include the counties of Clearfield, Centre, Mifflin, Juniata, Cambria, Blair, Huntingdon, Somerset, Bedford and Fulton. These changes have been incorporated into the ordinance as advertised for public hearing. Staff has had an opportunity to discuss these changes with the Director of Centre Region Planning Agency, Jim May, who indicated the changes are consistent with the recommendations of the Centre Regional Planning Commission and that the revisions do not need to be presented again to the Centre Regional Planning Commission.

Mr. Killian expressed his excitement for the farm café ordinance. He stated he looks forward the Township including further agro-tourism in the future.

Ms. Dininni stated she is in support of this ordinance and agreed with Mr. Killian on the agro-tourism. She questioned how the restriction of region five may not allow for the connection to farmers outside of that region. Mr. Duke Gastiger responded to this stating that the district five restrictions are just for retail sales not for the production of foods.

Mr. Peter Buckland, resident, commented about how this project will be part of the Living Building Challenge, which is a very ambitious group for environmental designs. This will be a great example for future development and stormwater management.

Mr. Killian made a motion to ADOPT ordinance 1002 providing for farm café as a conditional use in the rural agricultural zoning district. Mr. Miller seconded the motion.

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

**V. PUBLIC HEARINGS – RESOLUTIONS**

**1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CERTIFYING PROVISION OF LOCAL MATCH FOR STATE OPERATING AND CAPITAL FINANCIAL ASSISTANCE TO THE CENTRE AREA TRANSPORTATION AUTHORITY AND REPEALING RESOLUTION 2014-19**

Mr. Kunkle stated through the Centre Region Council of Governments and the General Forum recommendation to each of the participating municipalities, the Township has been asked to adopt a resolution certifying its contribution to the Centre Area Transportation Authority for operating funds in the amount of \$95,204 and capital funds in the amount of \$22,410 for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

Mr. Killian made a motion to ADOPT resolution #2015-20 certifying provision of local match for state operating and capital financial assistance to the Centre Area Transportation Authority for fiscal year July 1, 2015 through June 30, 2016. Ms. Whitaker seconded the motion.

ROLL CALL: 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 CHAIRMAN AND SECRETARY TO EXECUTE AND ACCEPT AN EASEMENT AGREEMENT BETWEEN THE TOWNSHIP AND ZIMMERMAN BUILDING CORPORATION**

Mr. Kunkle stated Board members may recall being approached by residents who utilized the Centre Area Transportation Authority transit system and who had difficulty accessing the transit stop along West College Avenue just north of the intersection of Bristol Avenue and West College Avenue. At that time the Board requested staff to research the possibility of extending the sidewalk from its existing termini along West College Avenue and connecting it along a missing a gap in that sidewalk system. The Township staff completed the review and obtained a highway occupancy permit. Through the process the Township became aware of the need for a small easement from Zimmerman Building Corporation in order to complete the sidewalk. This resolution accepts that easement.

Mr. Killian made a motion to ADOPT resolution #2015-21 accepting an easement agreement between the Township and Zimmerman Building Corporation per a sidewalk easement on tax parcel 24-4C-36. Mr. Clemson seconded the motion.

ROLL CALL: 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 CHAIRMAN TO EXECUTE A LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF FERGUSON AND THE LANDINGS PROPERTY OWNERS ASSOCIATION, INC., STATE COLLEGE TEENER LEAGUE AND S & A CUSTOM BUILT HOMES, INC. AND THOMAS A. SONGER, PARTNERS T/D/B/A JOHNSON FARM ASSOCIATES**

Mr. Kunkle stated the Township had entered into a license agreement on September 5, 2000 that provides for the utilization, operation and maintenance of the State College Teener League field. In the process of the planning for the lighting upgrades scheduled for this year, several changes to the license agreement occurred and are as follows: provides that the field lighting on the API Field (former Murata field) will terminate no later than one year after Phase 5 of the Landings PRD plan receives final plan approval, removes the requirement for the Teener League to install new lighting on the API Field within five years of the Landings PRD, Phase 5 final plan approval, allows for expanded field light operations during non-school periods once the parking area access to Park Centre Boulevard has been established, clarifies that play equipment installed within the Phase 7 boundaries will be available for use at all times to the Landings residents and modifies the agreement from the State College Babe Ruth League to the State College Teener League. All of the other parties to the agreement have executed the modified agreement.

Mr. Killian made a motion to ADOPT resolution #2015-22 approving a license agreement with the State College Teener League, S & A Custom Built Homes, Inc. and Thomas A. Songer, Partners T/D/B/A Johnson Farm Associates and the Landings Property Owners Association Inc. Ms. Whitaker seconded the motion.

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

## **VI. PUBLIC HEARINGS – OTHER**

### **1. A PUBLIC HEARING ON A GROUP PETITION REQUESTING THE TOWNSHIP TO REWORK OR REJECT THE TERRACED STREETScape DISTRICT ZONING REGULATIONS IN ORDER TO PROVIDE A MORE BENEFICIAL ALTERNATIVE PLAN**

Mr. Kunkle stated in accordance with Article 9, Section 9.02 of the Home Rule Charter, a group petition was submitted on April 20<sup>th</sup> and supplemented on May 18<sup>th</sup> with the additional signatures needed to meet the required 50 signatures by registered electors. This requires that the Board hold a public hearing on the matter within 90 days of the certification of the number of signatures. The property owners in the Terraced Streetscape District have all been notified as well as advertisement in the newspaper and those registered electors that signed the petition.

Ms. Pam Steckler, Hoy Street resident, stated she hopes this will be the beginning of a dialogue with the Township on this matter. She feels that the current ordinance is completely out of character for the neighborhood. The current ordinance passed five years ago and includes inadequate parking which would discourage retail shoppers; this would be in no way beneficial to surrounding neighborhood. She would like the ordinance to encourage owner occupied housing, promoting a healthy, safe and sustainable lifestyle. Would like to encourage people to move to the district rather than flee and compliment the neighborhood that already exists in the district. She presented a plan which she calls the traditional mixed neighborhood district. It is a pedestrian and bicycle friendly community with a low key environmentally sound green development built with sustainability as a top priority. The intent of the traditional mixed neighborhood district is to be pedestrian oriented and human scale. It would encourage bicycling and walking as well as public transit. It would promote energy efficiency, sustainable green development that would protect residential areas from intrusions and allow for small retail and commercial uses that would serve the neighborhood and area. The proposed district would have two to three story buildings along the south side of West College Avenue, two to four stories along the north side of West College Avenue and three to five story buildings along the north side against campus above Grass Alley. All structures would require one green incentive to allow for a third story, two green incentives for a four story and three green incentives for a five story. Green incentives would include items such as solar panels, planted green roof covering, geothermal, rainwater capture for reuse and energy star appliances throughout. The setbacks proposed would be a minimum of 22 feet front and back at lot line along College Avenue, minimum of 15 feet along the side unless the neighboring property agreed to less and a minimum of 20 feet on the side and 25 feet in the rear along residential lots within or outside the district. She stated three lanes should be kept on College Avenue using the remaining space as parking and bus stops on the south side and a two-way bike path on the north side. The frontage of a building would include, street lights, trees, plantings, trash cans, benches and bike racks and an eight foot wide sidewalk. Ms. Steckler stated a permitted use might include a small food market or hardware store and this may be encouraged through a small tax break. The building occupancy should be a maximum square footage of 5,000 square feet per individual non-residential use. The first floor should be used for retail establishments with all deliveries done in the rear. The multiple dwelling units should not include more than three bedrooms. The lot coverage should include 35% maximum building coverage and 75% maximum lot coverage. The parking should include residential parking at a rate of one space for an efficiency or studio, one and a half for each one bedroom, two and a half for each two bedroom and three and a half for each three bedroom. Residential parking shall be provided on site or in an adjacent lot. Finally, care shall be taken to provide the utmost consideration for adjacent properties and structures both when planning and executing a building plan. Preservation of natural features, scenic views and mature trees as well as visual impact on adjacent properties should be addressed. She wants to work with Township and come up with something that is good for everyone.

Mr. Bill Hechinger, resident, commented about the snow removal for the current streetscape scenario. He stated snow removal will have to be like downtown where they use dump trucks to haul snow away in the winter time.

Mr. Wes Glebe, resident, stated some things he felt were left out five years ago in the current ordinance which included bus cut outs, clear thinking about losing the turning lane, the alley issues were never discussed and the Beaver Avenue study was never brought forward. He questioned spending money on installing sidewalks when a definite plan has not been developed at this point. He would like to find out what all the stakeholders want through a round table discussion. He stated he would like to develop his property. He would like for Penn State to reveal its plan for the next 25 years, their vision, to help determine the future of the area.

Ms. Rhonda Stern, resident, thanked the Township for the letter of invitation and stated she loves idea of valuing owner occupied homes.

Ms. Colleen Unroe, resident, stated she supports reworking the Terraced Streetscape District. She is in support of free parking for the district, a pedestrian friendly community with planters and other green space.

Mr. Konstantinos Moutevelis, resident, stated he owns three commercial properties along West College Avenue. He stated the current ordinance has too many restrictions. Five years ago he was excited over the district approval but things are not working out. He would like to see more permitted uses, like a convenience store with gas pumps.

Ms. Laura Dininni, resident, stated there is a tentative promise to the Governor from Eric Barron to freeze tuition and she would expect an increase in enrollment from this. She heard the Penn State capital plan which included an increase of beds by 600 over the next 13 years.

Mr. Mascolo stated that residents did have input five years ago. He does not see the benefit of reopening the discussion for this district.

Mr. Miller stated that at the time the current ordinance was passed he thought it was a good idea but he does not think it was done quite right. He does think the ordinance should be reopened. He does think that there are other ways to look at it other than what was presented by Ms. Steckler this evening. The area is too small for what the goal of the district is to accomplish. The district should have another look and consider broadening the range of the zoning including Beaver Avenue or consider going back to General Commercial. He suggested working with the Borough to develop the area in cooperation with each other. He thinks this could help with the suburban sprawl issue and increased density closer to the university allowing for student housing.

Mr. Mascolo stated he does not see getting a future plan from Penn State at this time in regards to the property they own in the district.

Mr. Clemson stated that he agreed with Mr. Miller on taking a new look at the district and possibly consider rezoning.

Mr. Killian stated he agreed with Mr. Miller on increasing the density in order to protect and preserve agricultural land.

Mr. Miller stated that if the area were developed with more density than it would need to include structured parking.

Ms. Rhonda Stern stated she would like to have an open discussion, where the residents and the Board could have a conversation about the zoning and development in this area.

The Board voted 4-1 to revisit the development of the district. Mr. Mascolo was against revisiting the district.

Mr. Killian suggested that staff send the State College Borough a summary of the Board comments and see if they have interest in collaborating on this project.

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

Mr. Mascolo had a resident call him about the process to receive a variance and Mr. Mascolo directed them to staff.

## **VIII. ACTION ITEMS**

### **1. THISTLEWOOD LOT 12 LAND DEVELOPMENT PLAN – PLAN LAST DATED MAY 11, 2015 PLAN DEADLINE AUGUST 9, 2015.**

Mr. Pribulka stated the plan depicts an almost 4,400 square foot home. The requirement to provide a land development was a condition of the approval of the Thistlewood subdivision.

Mr. Mascolo asked if the lots in front of this lot have been developed. Mr. Pribulka stated that at this time he is not sure if those lots are not developed. Mr. Kunkle stated the driveway to the property is a shared driveway with Lot 11.

Mr. Killian made a motion to APPROVE the Thistlewood Lot 12 land development plan subject to the completion of the outstanding conditions for approval as set forth in the Township Community Planner memorandum dated June 2, 2015. Mr. Miller seconded the motion. The motion passed unanimously.

### **2. WATKINS SUBDIVISION – PLAN LAST DATED APRIL 21, 2015 PLAN DEADLINE AUGUST 12, 2015.**

Mr. Pribulka stated the plan proposed the consolidation of two existing parcels into a single lot which will then be subdivided into a total of three lots. Several waivers are being requested by the applicant and include connection to public sanitary sewer system, sidewalk installation and connection to the public water supply.

Mr. Mascolo asked if the existing home is connected to the public water and what is the agreement with water authority regarding connection. Mr. Pribulka stated according to the plan the existing home is connected to the water and Chapter 22, Section 506 state that all lots located within the designated water service area shall connect when it is feasible and permitted by the appropriate water authority. Mr. Kunkle stated the water authority has not stated that these are not feasible to connect. Mr. Mascolo suggested not granting the waiver for the water connection but would allow the waivers for the sewer and sidewalks.

Mr. Sepp stated that he had contacted the water authority regarding this connection. The connection is on the other side of the road and would require significant cost to cut into the road to connect the water. He also stated the wells would be more than 100 feet from the on lot septic systems.

Mr. Clemson stated he supports issuing the waivers as long as the distance between well and septic is sufficient.

Mr. Miller stated it would be impractical to run two lines across the road for these two lots.

Mr. Killian suggested having a requirement to for connection at a later date if another connection required the cut in the roadway.

Ms. Whitaker stated she agreed with Mr. Clemson on this matter.

Mr. Clemson made a motion to APPROVE the Watkins subdivision and lot consolidation plan subject to the completion of the outstanding conditions for approval as set forth in the Township Community Planner memorandum dated June 3, 2015 and approving all three waivers for sewer, water and sidewalks with the condition that sidewalks may be required by the Board in the future if adjoining properties have sidewalks. Mr. Killian seconded the motion. The motion passed unanimously.

### **3. RE-APPROVAL OF REVISED FINDINGS OF FACT AND TERMS AND CONDITIONS FOR THE LANDINGS AND FOXPOINTE PLANNED RESIDENTIAL DEVELOPMENTS**

Mr. Kunkle stated the Board considered this at the June 1<sup>st</sup> meeting and established Terms and Conditions for both The Landings and Foxpointe Planned Residential Developments and those Terms and Conditions were provided to the developer. Upon receiving those Terms and Conditions the developer requested changes. The changes to Foxpointe include revising the example circumstances/conditions for completion of Foxpointe Drive between Pine Hall Drive and Red Willow Drive, deleted the requirement for a revised traffic study with this re-approval, this may be addressed with any revised PRD Master Plan and clarified that the parking area in the open space area is not required to be built until Foxpointe Drive is built along the frontage of the open space. The changes to The Landings include clarified that the access driveway will be built with any development of Phase I, VIII, IX or X, allowed for a temporary emergency access route to connect Park Center Boulevard with Bristol Avenue and provided construction details that are the same as the access road connecting Phase III with Sylvan View.

Ms. Whitaker asked if both of the two emergency accesses will be gated. Mr. Kunkle stated that the access points will be gated at both ends. These will be used for emergency access only.

Mr. Killian made a motion to APPROVE the revised Terms and Conditions for The Landings and Foxpointe Planned Residential Development Terms and Conditions. Mr. Clemson seconded the motion. The motion passed unanimously.

### **4. DISCUSSION OF FUNCTIONAL STREET CLASSIFICATION FOR FOXPOINTE DRIVE**

Mr. Kunkle began by referring to the memorandum dated May 27<sup>th</sup>. He presented to the Board a map depicting the location of Foxpointe Drive to be discussed. The Foxpointe PRD Master Plan was approved in 1991. Mr. Kunkle also presented the Township Official Map depicting the long range planning for the layout of the road network that will serve the township. Public Works, Police and Engineering have all provided the Board with comments about Foxpointe Drive as a residential collector road. The proposed plan submission by the developer would include small single family lots that would each have individual direct accesses onto Foxpointe Drive. The Township prepared an alternate plan depicting only three access points onto Foxpointe Drive as opposed to the many proposed by the developer and protecting the collector road status of the road. This is a critical decision to the long term transportation development of the Township. The question is should achieving affordable housing in the Township affect the long range transportation goals for the Township.

Mr. Modricker stated that at the Board worksession on April 27<sup>th</sup> he reviewed the various street classifications as defined by the Township ordinance. He stated a residential street puts more

emphasis on access to abutting properties and is designed for lower traffic volumes while a collector street places more emphasis on intra-community continuity and is designed to carry higher traffic volumes. At that time he explained that the completed traffic study predicted 3,800 vehicles per day on Foxpointe Drive. He pointed out the conflict that exists because the developer is proposing a street to function as a collector road while in a residential area and that staff does not support the design. In summary Mr. Modricker and Mr. Seybert, Township Engineer, recommend that Board define this as either a collector or residential street not something that tries to be both. If the Board's decision was to classify this road as residential; then he recommended removing the road from the Official Map and disconnect the road terminus so that it does not serve for thru traffic.

Chief Conrad stated that her opinion is the same as that of Public Works. When you look at the area in a large scale, it is the next north/south road from Science Park. This road is similar to that of Shellers Bend, which is one of the worst on street parking roads in the Township.

Mr. Seybert, Township Engineer, discussed the memorandum dated June 15, 2015 on supplemental information that was provided in relation to the traffic study by the applicants' consultants. The Township consultant stated that we are getting away from the model traffic forecasting and it may not be as accurate. The number of trips on Foxpointe Drive is not entirely reliable. If it is reliable it still would not remove the street from the collector street status. He noted that subcollector streets shall be designed to exclude all external through traffic which has neither origin nor destination on the subcollector or its tributary residential access streets. This street if designed and constructed as proposed would immediately be available for traffic calming. The number of driveways proposed exceeds the number of driveways considered for best traffic safety. He also pointed out the items with the proposed road that don't comply with collector street design requirements.

Mr. Bob Poole, S & A Homes, stated that a sketch plan for this was presented for this development in 2013 which was approved by a vote of 4-1 that the plan was acceptable. In 2015 they have presented a proposed plan and had a worksession. Mr. Poole responded to the staff memorandums. He stated that by adding the two additional accesses out to Old Gatesburg Road on the new proposed plan makes this road become less of a collector classification. This is using approximately 3,000 trips per day. If the regional growth boundary is not expanded to the west based on the traffic studies completed this plan would work with the two additional accesses. He stated the homes will have two car garages which should lessen the impact of street parking. The style of the road will not encourage speeding and the use of the road for a cut through. He stated if the Board determines this to be collector road; they would need a waiver for spacing between intersections, if it is classified a subcollector than no waivers would be required. He stated that according to the traffic analysis completed only five percent of the traffic would be from cut through traffic. The design was created to reduce the cut through traffic and speeding. He stated the road should be posted for no on-street parking. Mr. Poole stated the planned residential development plan is not required to include affordable housing. In most cases townships are trying to encourage the construction of affordable housing by increasing density. Mr. Poole reviewed the Township sketch plan redirecting Foxpointe Drive stating that it would include 800 lineal feet more of road to build with a \$3.5 million cost. The plan would not financially work for him as the developer. Mr. Poole presented four slightly different proposed plans with a various number of total lots and driveways accessing directly to Foxpointe Drive. Mr. Poole pointed out that noting in the ordinance does not state driveways are not permitted off a collector road.

Mr. Nick Shaeffer, Trans Associates, disagreed with the memorandum presented by Mr. Seybert stating that a model would need to be redone. He stated that the traffic for Foxpointe will remain



the same whether an additional access is added at the multi family or for the single family phases of the Master Plan. He commented on the concern of the road being used for through traffic and stated that the traffic will be 3,801 with and ADT of 3,600 and the difference would only be approximately 200 trips as cut through traffic.

Mr. Killian stated that he is concerned with the homes not being owner occupied. He stated that the development should be designed as a single family development and be required to be owner occupied. This would help with the parking and care of the roadway. Mr. Killian likes the staff sketch and thinks this road should be a collector road. He thinks the road should be developed as a private / public partnership to ensure the road is developed as a collector road.

Ms. Whitaker asked which plan option has the least number of driveways accessing Foxpointe Drive. Mr. Poole responded that the lowest number would be 36 lots. Mr. Modricker pointed out that the Township prepared sketch plan had zero accessing onto Foxpointe Drive. Ms. Whitaker asked if all of the plans include the second access roads. Mr. Poole stated not all of the plans do. He also stated that if the Township sketch plan is used then that is not financially possible for him as the developer.

Mr. Miller stated he can see the traffic using that road if Science Park Road has overloaded but how will this affect Saybrook, which already has multiple driveway access. Mr. Mascolo stated he doesn't anticipate the traffic entering into Saybrook.

Mr. Modricker encouraged the Board to look at how they want the road to function and not just on the numbers from the traffic study. If the Board wants the road to act as a residential road that's when you put your emphasis on abutting properties and if you want it to act as a collector road than you would design it as such.

Mr. Miller stated that he does not like the idea of collector roads having higher speeds because there is nothing slowing it down. Chief Conrad stated that this road is going to serve all of the additional roads in the neighborhood and it should not be a tight area.

Mr. Mascolo stated that his opinion is that the Township sketch plan is best solution and he believes that Foxpointe Drive should be classified as a collector road. He would not recommend any of the S & A proposed plans.

Mr. Clemson stated Foxpointe Drive functions as a collector road. Mr. Poole stated that you can have driveways off of a collector road. Mr. Modricker stated the ordinance does not specify no driveways but functionally the less the better because the road is used to move traffic.

## **5. OFFICIAL ZONING MAP SIGNATURES**

Mr. Pribulka stated staff has been working over last couple months on an amendment to the map. Some updates include the corridor overlay and rezoning of property along North Atherton Street. The Board is required by ordinance to sign a copy of the Official Zoning Map. The Planning Commission has reviewed and recommended approval of the map.

Mr. Killian made a motion to APPROVE signing of the Ferguson Township Zoning Map dated January 19, 2015. Ms. Whitaker seconded the motion. The motion passed unanimously.

## **6. APPROVAL OF CONTRIBUTION TO FOURTHFEST**

Mr. Kunkle stated there was an application for a donation to FourthFest, similar to the amount requested in prior years. The Township has budgeted \$600 for this.

Mr. Killian made a motion to APPROVE the request from 4thFest for a \$600 contribution. Mr. Clemson seconded the motion. The motion passed unanimously.

## **7. APPROVAL OF MAY 2015 VOUCHER REPORT**

Mr. Killian made a motion to APPROVE the May 2015 voucher list. Mr. Clemson seconded the motion. The motion passed unanimously.

## **8. CONSENT AGENDA**

Mr. Killian made a motion to APPROVE the consent agenda which included the May 2015 Treasurer's Report and a Time Extension for Confer BMW Land Development Plan. Mr. Miller seconded the motion. The motion passed unanimously.

## **9. REPORTS**

### **1. Manager**

Mr. Kunkle stated the Township has received the police pension actuarial report as of January 1, 2015. Along with the report is a letter from Dave Killick stating the plan remains underfunded by \$447,354 as of January 1, 2015, although the plan funding ratio is 91% based on an earning rate of 8%. The park naming policy was adopted and one of the parks in the Township does need named. The Westfield/Hillside Farm Estates Park will be developed later this year and the Township is requesting recommendations for naming of this park. The joint worksession with the State College Borough Water Authority is scheduled for July 7<sup>th</sup> at 6pm. Interviews are scheduled for the Planning and Zoning Director this week.

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

Mr. Modricker stated there is an opportunity for another grant from ARLE, Automated Red Light Enforcement. This would be a non-matching grant with all federal funds. This would be for traffic signal performance matrix implementation.

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

Mr. Pribulka stated the report was included with the packet including the status of the current land development plans and the permit activity report.

### **4. Chief of Police**

Chief Conrad stated the crime for the month of May was overall 82 for a 2% decrease compared to last year and other calls for service were 369 this year to 341 last year for a 3% increase. Parking tickets, traffic cites are up while criminal arrests are down. Department notes include training on active shooter, emergency driving and interview and interrogation.

## **5. COG Committee Reports**

### **a. Executive**

The Executive committee will meet tomorrow and will discuss the Act 537 plan.

### **b. Public Safety**

The Committee met on June 4<sup>th</sup> and began with citizens comments from Katherine Watt discussing stopping the Toll Brothers development on Whitehall Road. The Centre Region Code Administration conducted a customer satisfaction survey and received positive responses. The Program Plan review is in process.

### **10. MINUTES**

Mr. Killian made a motion to APPROVE the regular meeting minutes from May 18, 2015 with a correction to the Human Resources Report, changing "to experience" to "two experienced". Ms. Whitaker seconded the motion. The motion passed unanimously.

Mr. Killian made a motion to APPROVE the regular meeting minutes from June 1, 2015. Mr. Miller seconded the motion. The motion passed unanimously.

### **11. 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 11:08 pm.

Respectfully submitted,



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Mark Kunkle, Township Manager  
For the Board of Supervisors  
Date approved by the Board: 07/20/2015