

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, July 20, 2015
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, July 20, 2015, at the Ferguson Township Municipal Building. In attendance were:

Board:	Richard Mascolo, Chairman	Staff:	Mark Kunkle, Township Manager
	Steve Miller		David Pribulka, Assistant Township Manager
	Janet Whitaker		Diane Conrad, Chief of Police
			Eric Endresen, Director of Finance

Others in attendance included: Heather Bird, Recording Secretary; Laura Dininni, Mike Twomley, Sue Mascolo, Katherine Watt and Colleen Unroe

II. CALL TO ORDER

Mr. Mascolo called the Monday, July 20, 2015, regular meeting to order at 7:00 pm.

III. CITIZENS INPUT

Ms. Katherine Watt, 156 West Hamilton Avenue, presented a packet of information to the Board about legal tools available to the Board to deny the final Toll Brothers Planned Residential District plan and legal tools to correct invalid zoning. She reviewed the items included in the packet presented.

Ms. Laura Dininni, resident, presented the PA Dairy Tool Manual to the Board which she designed to help guide others through the process of dairy profitability. Ms. Dininni would like to meet with Mr. Kunkle to design a tool similar to this for individuals in Ferguson Township to better understand the interaction with the Township in gaining information under the right to know law.

IV. PUBLIC HEARINGS – 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 BY ACCEPTING A DEED OF DEDICATION FROM LEROY H. AND BRANDY L. TRESSLER FOR ADDITIONAL RIGHT-OF-WAY ALONG NORTH NIXON ROAD.**

Mr. Kunkle stated the Tressler subdivision was approved by the Board of Supervisors and as part of that subdivision plan there was an offer of additional right-of-way along North Nixon Road. There was an additional 8 ½ feet offered for dedication.

Mr. Miller made a motion to ADOPT ordinance 1003 accepting a deed of dedication from Leroy H. and Brandy L. Tressler for additional right-of-way along North Nixon Road. Ms. Whitaker seconded the motion.

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

V. ACTION ITEMS

1. 2ND QUARTER 2015 FINANCIAL REPORT – MR. ERIC ENDRESEN, DIRECTOR OF FINANCE

Mr. Endresen, Director of Finance, presented the 2nd quarter 2015 Financial Report. He began by stating the 2014 Annual Financial report had been submitted to GFOA for award recognition. He reviewed the budget to actual figures through June 30, 2015. The Township continues to manage revenues well. Mr. Endresen reviewed notable items which included: 95% of tax revenue have been collected, \$182,000 in transfer tax was received in July which was not included in the figures presented, a large rebate from the health insurance was received, the Act 205 money has not been received and he listed large and small equipment that was purchased in the 2nd quarter.

2. VARIANCES

a. JOSEPH D. AND LOIS DIONISIO – 3850 SCOTT ROAD

Mr. Kunkle stated the variance deals with a property that was recently purchased by the Joseph and Lois Dionisio. The property is split by Route 45. Typically when a roadway divides a property that line is a natural subdivision of a property. The applicant would like to be able to use all of the uses permitted in the RA zoning district on both of the parcels located on either side of Route 45.

Mr. Miller made a motion to REMAIN NEUTRAL on the variance application of Joseph D. and Lois A. Dionisio for tax parcel 24-004-084. Ms. Whitaker seconded the motion. The motion passed unanimously.

b. JOHN W. LECLAIR – 3392 SHINGLETOWN ROAD

Mr. Kunkle stated the variance is for a 31 acre parcel zoned RA. Typically parcels of 50 acres or less located in the RA Zoning District do not have all of the uses allowed for the district. The applicant requested that they can have up to three uses on a land that is less than 50 acres. Currently the ordinance states that they can only have one use per 50 acres of land. Also, the applicant requested a variance from the requirement that all raw materials must be produced on the property, for instance, the winery may need to get additional grapes elsewhere. Finally, the applicant requested a variance to allow the winery occupy more than the five acres maximum for the processing, storing and sales and service of farm products.

Mr. Miller made a motion to REMAIN NEUTRAL on the variance application of John W. LeClair for tax parcel 24-4-92B. Ms. Whitaker seconded the motion. The motion passed unanimously.

3. 2015 TREE VITALIZE GRANT APPLICATION

Mr. Kunkle stated the Township has used the Tree Vitalize grant program for the purchase or replacement of street trees that are either damaged or diseased. This is the first time the Tree Vitalize Grant program will allow for funding to prune the street tree inventory. The Township has already budgeted \$40,000 in 2015 to accomplish a portion of the pruning. Staff is requesting Board approval to apply for an additional \$20,000 grant toward street tree pruning.

Ms. Whitaker made a motion to AUTHORIZE a Tree Vitalize Pruning Grant Application in the amount of \$20,000. Mr. Miller seconded the motion. The motion passed unanimously.

4. CONTRACT 2015-C10 BIKE PATH AND PARKING LOT SEAL COAT CONTRACT

Mr. Kunkle stated the contract is for work in both State College Borough and Ferguson Township for seal coating of bike paths in the Township and seal coating and line striping of parking lots in the Borough. Unico Sealing Inc. is the apparent low bidder for \$19,005.

Ms. Whitaker asked if we have used Unico Sealing in the past. Mr. Kunkle stated yes, the Township used them last year.

Mr. Miller confirmed that the \$19,005 is for the full contract.

Mr. Miller made a motion to AWARD Contract 2015-C10 Bike Path and Parking Lot Seal Coat Contract to Unico Sealing, Inc. in the amount of \$19,005. Ms. Whitaker seconded the motion. The motion passed unanimously.

5. APPROVAL OF JUNE 2015 VOUCHER REPORT

Mr. Miller made a motion to APPROVE the June 2015 voucher list. Ms. Whitaker seconded the motion. The motion passed unanimously.

6. CONSENT AGENDA

Mr. Miller made a motion to APPROVE the consent agenda including the June 2015 Treasurer's Report and Surety Reductions for the Landings, Phase 1A for \$45,912.50 and the Landings, Phase 1B for \$46,867.50. Ms. Whitaker seconded the motion. The motion passed unanimously.

7. REPORTS

1. Manager

Mr. Kunkle began by stating Township staff has worked with Borough staff to schedule a joint meeting with the Board of Supervisors and Borough Council to discuss the issues related to density and suburban sprawl and development along the West College Avenue corridor. A letter had been received from C-Net that they are now using a high definition server for live streaming of the Township meetings. The Township has been working with the COG Code Administration on a long term lease on a fabric arch storage building. There is additional work items not currently included in the lease. One item under discussion is the term of the lease. COG has requested a longer term than was originally proposed. Mr. Kunkle recommended not extending the lease beyond the warranty on the fabric which is being determined. The Township received a refund from its U-Comp trust based on overall claims and reflective of the need to use the service. Mr. Kunkle received a letter from Centre Region Parks and Recreation indicating that the Westfield/Hillside Park will be included in the 2016 maintenance program. The project is anticipated to be finalized this fall.

2. Planning and Zoning

Mr. Pribulka stated the Planning Commission met on July 13th and discussed the request to rezone 1900 Circleville Road from rural residential to R3, Townhouse Residential. The Planning Commission recommended approval and the Board will have this on their August 17th meeting. The Commission also reviewed the draft food truck ordinance. The comments from the Commission will be incorporated into the draft before it is brought to the Board for review. Currently there are nine plans under review and five of those have not yet been heard by the Board.

3. Chief of Police

Chief Conrad stated there was 17 Part One crimes as opposed to 13 last year, this was primarily due to the increase in thefts from cars. Year to date for Part Two crime is exactly the same as last year at 47. Other calls for service are up slightly. At six months into the year the calls are a little higher than last year at this time with 2,395 compared to 2,316 last year which is an 11% increase. Looking at other activity at the six month point the Department is 26% down in traffic stops and citations and criminal arrests are down 3%. Officers attended training in emergency vehicle operation and refresher course in cultural awareness. The 10th Crisis

Intervention Training was held. This is a skill building session, designed to result in less injuries to everyone involved in incidences where individuals are in a medical or emotional crisis. Sergeant Hendrick represented the Department in the Special Olympics Law Enforcement Torch Run and also graduated from Leadership Centre County. A new report added included calls worked on with other agencies which include County Mental Health, Domestic Violence Team, Child and Youth Services, Penn State Student Affairs, Probation and Parole.

4. COG Committee Reports

a. Finance

Mr. Mascolo attended the meeting on July 9th. The committee discussed the lease agreement for the fire safety storage facility as discussed by Mr. Kunkle previously. The committee reviewed the COG Program Plan which has been passed onto General Forum for review by all municipalities. The August meeting was changed to August 20th.

b. Transportation and Land Use

Mr. Miller was not able to attend the meeting but the main item on the agenda was the regional bike plan update including results of the community survey.

8. MINUTES

Ms. Whitaker made a motion to APPROVE the regular meeting minutes from June 15, 2015. Mr. Miller seconded the motion. The motion passed unanimously.

9. ADJOURNMENT

Mr. Miller made a motion to ADJOURN the meeting to an executive session. 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 7:47 pm.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors
Date approved by the Board: 08/03/2015