

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, August 17, 2015
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, August 17, 2015, at the Ferguson Township Municipal Building. In attendance were:

Board:	Richard Mascolo, Chairman	Staff:	Mark Kunkle, Township Manager
	Drew Clemson, Vice Chairman		David Modricker, Director of Public Works
	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; Mike Twomley, Laura Dininni

II. CALL TO ORDER

Mr. Mascolo called the Monday, August 17, 2015, regular meeting to order at 7:00 pm.

III. CITIZENS INPUT

IV. ORDINANCES

1. A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE FERGUSON TOWNSHIP ZONING ORDINANCE AND ZONING MAP BY CHANGING FROM RURAL RESIDENTIAL (RR) TO TOWNHOUSE RESIDENTIAL (R-3) A 0.55 ACRE PARCEL AT 1900 CIRCLEVILLE ROAD, TAX PARCEL 24-004-.010.

Mr. Kunkle stated the Board reviewed the recommendation of the Planning Commission on August 3rd to rezone the 0.55 acre parcel located at 1900 Circleville Road, tax parcel 24-004-010, from Rural Residential (RR) to Townhouse Residential (R3). The applicants requesting the rezoning are property owners William and Marcelina Rothwell.

Mr. Clemson made a motion to ADOPT ordinance 1004 changing the zoning for tax parcel 24-004-010 from Rural Residential (RR) to Townhouse Residential (R3). Ms. Whitaker seconded the motion.

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

V. RESOLUTIONS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE YEARS 2016 THROUGH 2020.

Mr. Kunkle began by thanking the Board and staff for the work completed in creating the Capital Improvement Budget for the years 2016-2020. For over two decades the Township has completed a five year financial plan and the results of the effort have kept the Township on sound financial footing. This is a financial planning document and not a guarantee of project completion and no appropriation of funds are being approved with this adoption. The purpose of plan is provide projections of revenues and expenditures and is not an official budget. When preparing a financial forecast it is always important to look at the impact of anticipated expenses on the fund balance. Overall fund balances remain positive during this five year period. The Transportation Improvement Fund represents an average of 32.66% of the total fund balance and is allocated for capital transportation related expenses. Historically the projections for the General Fund have shown a continual decline for the five year period; in actuality the General

Fund balance has remained stable. Revenue for the five year financial plan comes from a number of services including real estate taxes. At this point no tax increases are being proposed to fund this five year capital plan. The capital improvement plan projects both operating and capital cost for the five year period. Capital expenditures are broken into seven major areas; Administration, Finance, Information Technology, Planning, Police, Public Works, and Parks and Recreation. During the five year period there are three new projects that will require debt to be incurred which include the Centre Region Parks and Recreation Central maintenance facility, a new Public Works maintenance building and the West College Avenue Streetscape project.

Mr. Clemson thanked staff for their hard work on the Capital Improvement Plan.

Ms. Whitaker made a motion to ADOPT resolution 2015-23 approving the Capital Improvement Program Budget for the years 2016-2020. Mr. Miller seconded the motion. The motion passed unanimously.

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

2. A PUBLIC HEARING ON A RESOLUTION OF THE BOARD OF SUPERVISORS OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE A WINTER MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR A PORTION OF STATE ROUTE 3018 (WHITEHALL ROAD).

Mr. Modricker stated the Township has completed this agreement every five years with the Commonwealth to provide winter maintenance to a section of Whitehall Road. The agreement is beneficial because Township drivers drive this portion of the roadway to reach other locations in the Township. This agreement is a continuation of an existing program. The amount for the agreement is standard for the department.

Mr. Clemson made a motion to ADOPT resolution 2015-24 authorizing the Chairman and Secretary to execute a winter maintenance agreement with the Pennsylvania Department of Transportation. Ms. Whitaker seconded the motion.

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

VI. ACTION ITEMS

1. DISCUSSION OF OPEN SPACE REFERENDUM

Mr. Kunkle stated on August 3rd he provided the Board of Supervisors with a draft memorandum for review describing the background and process for a ballot referendum regarding a possible funding to acquire environmentally sensitive or important lands. The Board received with its agenda a finalized copy of that memorandum recommending that the Board of Supervisors clearly define the purpose of the referendum question and the potential utilization of funds that may be requested to be utilized for this defined purposed. The Board should also discuss the timing of a survey and the type of survey to be utilized in order to determine voter support of a referendum question.

Mr. Miller stated that he brought up this concept because envisioned key environmental areas on the official map that have a need to be restored or protected. This could give the Township the ability to buy land in an area such as along a stream and repair the riparian buffer. The other possibility would be to use funds to purchase conservation easements. The Township would buy the development rights and keep the area in its natural or agricultural state. This would be different than what Patton Township has done where their funds go more toward parklands.

Mr. Clemson asked if the purpose of the referendum would be to have the voters approve this type of venture for the Township and would the question also include the type of funding mechanism? Would they also need to approve increases in their taxes to fund this type of program? Mr. Miller stated yes to the Mr. Clemson's questions. He also stated that the funds received could be leverage or matched with grants and programs through the state.

Mr. Mascolo asked isn't this the purview of Clearwater? Mr. Miller stated Clearwater would be a good partner on a program like this. They do not currently have the funds needed to complete these types of projects on their own.

Ms. Whitaker asked if this would be an optional referendum. Mr. Kunkle stated in Pennsylvania you can't use the ballot or a referendum to seek public input for an item that you can't take action on. The Board would determine the sense of the electorate's opinion on placing a referendum on the ballot using the survey and once that was determined the Board would adopt a resolution to place the referendum question on the ballot. An example of a referendum question would be: Are you in favor of incurring debt in amount of blank dollars for the following purpose. This would be electoral debt. A completed survey process would allow the Board to get a sense for the amount of debt the electorate would be comfortable incurring. Mr. Mascolo asked if the referendum question would need to state an exact dollar amount of debt to be incurred. Mr. Kunkle stated yes. Mr. Clemson stated coming up with that dollar amount may be difficult. Mr. Kunkle stated that if the purpose is defined as clearly as possible then the survey should help give a very clear range of understanding for the dollar amount.

Mr. Clemson asked if the issues in Piney Ridge and the stream issues would be the type of project to be completed. Mr. Kunkle stated the Board would need to decide if these funds would be project driven or would it be for acquiring the land by the Township to leverage other funding sources to complete the projects. Mr. Miller stated this would be a purchase and restoration but would use matched funds or grant money to complete the restoration. This should focus on those areas already defined on the Official Map as sensitive lands.

Mr. Clemson suggested contacting other entities for information such as the Water Authority and Clearwater Conservancy. He also stated a survey is required in the process. Ms. Whitaker agreed with this. Mr. Clemson would support Mr. Miller's suggestion for this referendum process.

Mr. Mascolo stated he was not sure what areas in the Township would benefit from this. Mr. Miller stated many of the streams in the area would benefit from this. He would anticipate residents being in support of this as the repair of riparian buffers would increase the value of their properties.

The Board would like to get additional feedback from other entities involved in the process and get a survey out sometime in January.

Ms. Laura Dininni, resident, asked if the Board would include letting the residents know exactly what the funds would be used for. Mr. Clemson stated that yes this would include a clearly defined purpose for the funds. Mr. Miller stated the type of projects would be identified but not necessarily the exact properties.

Ms. Pam Steckler, resident, suggested changing the name of the referendum from open space to something like resource protection. Mr. Miller stated that the name will reflect the purpose. Ms. Steckler also suggested using volunteers to organize the process like planting in the

riparian buffers. Finally she asked if the tax increase would be defined as a per millage increase. Mr. Kunkle stated it would be defined as a total dollar amount.

2. STRATEGIC PLAN PROGRESS REPORT

Mr. Pribulka stated the Township Strategic Plan is one of the most important guiding documents to help the Township staff, Authorities, Boards and Commissions execute the mission and vision of the Township. It provides a list of goals, actions and objectives that lay the framework for resource allocation in each of the Township's five departments to help ensure a unified effort toward a sustainable and prosperous future. Since adopted in 2013 staff has provided the Board updates on the progress made on each item. The Township has made progress, some significant, on all items in the strategic plan. Mr. Pribulka reviewed the progress made for each area of the Strategic Plan and opportunities to further complete the actions.

3. APPROVAL OF JULY 2015 VOUCHER REPORT

Mr. Miller made a motion to approve the July 2015 Voucher report. Ms. Whitaker seconded the motion. The motion passed unanimously.

4. CONSENT AGENDA

Mr. Clemson made a motion to APPROVE the consent agenda including the July 2015 Treasurer's Report and a payment authorization from Alpha Space Control for \$190,618.71. Mr. Miller seconded the motion. The motion passed unanimously.

IV. REPORTS

1. Manager

Mr. Kunkle provided the Board the most recent draft of the lease provided to the Centre Region Council of Governments for the storage of two fire training trailers. The lease provides for a ten year term. The annual rental during the first ten years covers only the cost incurred by the Township. The lease will be presented to the General Forum on August 24th. The topic of community ice rinks in public parks was brought to the Board earlier this year. On July 20th a memorandum was submitted to the Centre Region Park and Recreation with a response received on August 3rd from Director, Ron Woodhead, indicating that the agency is not equipped to maintain this type of fill and freeze ice rinks. The Township is also not equipped to maintain these ice rinks.

2. Public Works Director

Mr. Modricker stated public works department began fine grading and seeding the bank in the Haymarket Park basin today as well as preparation on bike paths for maintenance and seal coating. The Township Tree Commission met tonight and reviewed tree removals in various neighborhoods. The Commission scheduled public hearings for tree removal for October 13th and October 20th. Sidewalks in the Township are currently being re-inspected and those that have not been repaired will be repaired by the Township under a contract. Nastase Construction did begin work on the large pipe system Selders Circle and Rosemont Drive today. A road closure is planned for the week of August 24th. Work continues in Westfield/Hillside Park. Work is complete on Park Lane and Pine Hall Court. Micro surfacing work began the week of August 10th.

3. Planning and Zoning

Mr. Pribulka stated the Planning Commission met on August 10th and discussed an amendment to the grass, weeds and other vegetation ordinance. The amendment would permit the cultivation of certain pollinator friendly lawns within the Township. The draft amendment was received favorably by the Commission with some conditions to be included. The draft amendment will be before the Board something this fall. The Commission considered submissions for renaming of Westfield/Hillside Park. The Commission voted to rename park

Sunday Park. The Township currently has eight active plans; seven of which have not been heard by The Board. The new deadline for the Toll Brothers plan is October 20th.

4. Chief of Police

Chief Conrad stated July assaults are doubled from three last year to seven this year. For total crime there were 56 calls last year and 68 this year. Other calls for service were down at 338 from 350 last year. Traffic citations were up for the month. Parking tickets were way up, mainly due to the heights. Criminal arrests are up nearly double from last year. Department notes included in July the Department had four serious drug overdoses. The Department continues to work with partner agencies to address the drug issue. Officers helped to save the life of a three month old baby.

5. COG Committee Reports

a. Executive

Mr. Mascolo stated the committee will meet tomorrow and discuss the lease agreement for the fire safety trailer located at the Township. They will also discuss volume metric billing for sewer service and organics collection.

b. Public Safety

Mr. Clemson stated the committee met today at noon and discussed the fire safety trailer lease between Centre Region Council of Governments and Ferguson Township. Currently COG has \$5000 in the budget for the lease. Currently they have a ten year old safety trailer and they would like this additional covered storage space. It did pass a vote to go on to the Finance and Executive committees. There were concerns and this may not pass the General Forum and may be coming back to the committee for further options.

c. Finance

Mr. Mascolo stated committee will meet on August 20th and will be reviewing the COG Program Plan and the municipality comments received.

VII. MINUTES

Mr. Miller made a motion to APPROVE the regular meeting minutes from August 3, 2015. Ms. Whitaker seconded the motion. The motion passed unanimously.

VIII. ADJOURNMENT

Ms. Whitaker made a motion to ADJOURN the meeting. Mr. Miller 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 8:27 pm.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors
Date approved by the Board: 09/08/2015