

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Monday, November 7, 2016

7:00 pm

Worksession

I. ATTENDANCE

Board: Steve Miller
Peter Buckland
Janet Whitaker
Laura Dininni
Rita Graef

Staff: Mark Kunkle, Township Manager
David Pribulka, Assistant Township Manager
Dave Modricker, Director of Public Works
Ray Stolinis, Director of Planning & Zoning
Diane Conrad, Chief of Police

Others in attendance included: Jendi Ammerman, Recording Secretary; Jeff Bridger; Jim Steff; Joe Viglione;

II. CALL TO ORDER

Mr. Miller called the Monday, November 7, 2016, worksession to order at 7:03pm.

III. DISCUSSION ITEMS

1. COMMITTEE REPORTS

a. ABC Reports

i. Mr. Jeff Bridger, University Area Joint Authority

Mr. Bridger gave a quarterly report on the University Area Joint Authority (UAJA). His review included: Plant Capacity, the Beneficial Reuse Program, sewer replacement projects, odor management, the Grays Wood pump station elimination project, the expansion of the beneficial reuse advanced water treatment, a bond issue and sewer rates. Mr. Miller asked if Kissinger Meadows was providing enough water to maintain the fish population. Mr. Bridger stated that Kissinger Meadows is providing enough water to maintain the fish population, located below it.

b. COG Committee Reports

i. Transportation and Land Use

Ms. Whitaker reviewed the Transportation & Land Use Committee meeting from November 3rd. Discussed were potential adjustments to the Comprehensive Plan Implementation Program (CHIP). An approved consideration was to change the formal CHIP process from meeting on an annual cycle to a biannual cycle. Consideration was given to consolidating some CRPA functions into one COG committee, where each committee would meet every other month.

2. STAFF REPORTS

a. Manager's Report

Mr. Kunkle stated that Township staff will be hosting the second Homeowners Association officer's open forum of the year. The Board received the draft 2017 Township Budget. Mr. Kunkle gave a summary of the budget. Mr. Pribulka gave a quarterly communications update on the outreach efforts which are used by the Township to provide community information about the Township and current activities, events and services. Mr. Kunkle stated that the Township received thank you cards/notes for the following: for recognizing Suicide Prevention Month, police assisting State College Borough Police with the 'celebration' downtown after the Penn State victory over Ohio State, and for assistance with road damage, caused by the flood, on Perdue Mountain.

b. Public Works Director

Mr. Modricker reviewed the Public Works Director's Report. The engineering section is working on plans for 2017 capital projects. The maintenance sections activities included: brush collection, daily leaf collection, waterline installation in Suburban Park, tree removals, work orders and equipment repairs and maintenance. The traffic calming request for East Park Hills

Avenue indicated the road meets the criteria for traffic calming based on the volume of traffic. The next step would be to prepare an initial traffic calming plan and conduct a public meeting. The next Tree Commission meeting is November 14th.

Ms. Dininni expressed thanks for the updated PennDOT sign in Pine Grove Mills.

Mr. Buckland inquired about the Traffic Study recommendations, in particular the active speed display signs. Chief Conrad stated that the Township has two as of now and they are rotated between 35 to 40 different locations. Mr. Buckland asked if those signs had been used on this particular road before. Chief Conrad replied that they have been. Previous studies suggest moving the signs after a certain period of time due to the signs losing their effectiveness.

Ms. Whitaker showed concern for lack of traffic and pavement markings on Sandy Drive.

c. Planning & Zoning Director

Mr. Stolinas reviewed the Planning and Zoning Director's Report. The review included: AccuWeather replot of tax parcels 24-004-021R & 24-433-027, Guenot Subdivision, Zoning and Saldo update steering committee, Sourcewater protection work group and active plans in the Township.

Ms. Dininni inquired as to what an idea board, as referred to in the report, is. Mr. Stolinas stated that all residents of Ferguson Township will have the opportunity to participate in the idea board. Residents will be able to follow a link that will allow them to comment on certain areas of the Township where they may want to see changes.

d. Chief of Police

Chief Conrad reported that the Part I Crimes were up slightly from last year. Part II crimes showed a rise in criminal mischief. Other calls for service overall were down, but vehicle code – other traffic incidents were up slightly. The third Town Hall meeting on the Opioid Crisis was held on October 11th and can be viewed on CNET. A man shooting heroin in his car over his lunch hour overdosed and was revived by EMS with Narcan after a co-worker found him in the business' parking lot. A woman drove her car into Pletcher's Beer Distributor and fled the scene. She was arrested for DUI. Two weeks after that incident, unknown persons entered Pletcher's Beer Distributor surreptitiously and stole money and checks from the day's proceeds. Three women college students went hiking at 2PM one afternoon, reportedly from Jo Hays Vista but found later to be from Shingletown Gap. When they had failed to return by 11 PM, an overnight search was conducted but did not locate them. The next morning the women found their way, with the assistance of a hunter, to the Whipple's Dam area. They had spent the night in an outhouse of a cabin and were fine. A 24-year-old woman was assaulted and strangled by her 28-year-old ex-boyfriend at their apartment in Pine Grove Mills the previous day. The man was located and arrested, he later got out on bail. Trick or Treat occurred without incident. Glow bracelets were handed out at the schools and a few by neighborhood patrols.

3. 2017 COG Summary Budget Review

Mr. Kunkle stated that on Monday, October 24th, the COG General Forum unanimously approved a motion to forward the Summary Budget to member municipalities for review and comment. Municipal contributions in the proposed 2017 COG Summary Budget have been limited to an increase of 1.95%. Ferguson Township is the largest financial contributor to the COG Budget with a total contribution of \$1,844,449 in 2017 representing 27.92% of the total local government funding. This is an increase of \$96,009 from 2016 Township funding. The Township's contribution to COG represents 9.36% of the total proposed 2017 Township budget.

Ms. Dininni asked how Ferguson Township ended up being the largest contributor with close to 30% of the COG Budget. Mr. Steff stated that program costs and funding formulas for particular programs must be considered. Two areas hit Ferguson Township this year, the COG formula and the Senior Citizens/ Active Adult Center formula. The Senior Citizens/Active Adult Center formula caused a large increase because of the utilization of the Senior Center at its new location at the mall. The EIT Tax Base formula increased dramatically, by 15%.

The Board had questions on capital expenses specifically for the parks. Mr. Steff replied that there are areas in capital for equipment replacement. No funds have been designated in any document for parking lot repairs at Oak Hall or addition of restroom facilities in Hess Fields. A question on how expenditures can be determined with regard to the time spent maintaining municipal parks when there is no operational budget for CRPR-maintained parks. Mr. Steff replied that expenditures related to tournament play are tracked, and costs are attempted to be recovered. The COG staff believes that a municipality is buying into a park system, rather than expenditures allocated to a given park. The Board supported The Board supported submitting a comment to the COG Finance Committee that a system be developed to track each local and regional park expenditures and revenue *and that there should be a higher level of detail provided in the revenues and expenditures*. Mr. Miller asked if there were any objections against forwarding those concerns as a comment. There were no objections from the Board.

4. Ferguson Township Strategic Plan Update

Mr. Miller moved the Ferguson Township Strategic Plan Update to the end of the Regular Meeting. There were no objections from the Board.

IV. ADJOURNMENT

Mr. Miller adjourned the worksession at 8:29pm.

Regular Meeting

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, November 7, 2016 at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller	Staff:	Mark Kunkle, Township Manager
	Peter Buckland		David Pribulka, Assistant Township Manager
	Janet Whitaker		Dave Modricker, Director of Public Works
	Laura Dininni		Ray Stolinis, Director of Planning & Zoning
	Rita Graef		Diane Conrad, Chief of Police

Others in attendance included: Jendi Ammerman, Recording Secretary; Susan Buda; Tony Fruchtl; Carl Raup, Mick Trombley;

II. CALL TO ORDER

Mr. Miller called the Monday, November 7, 2016, regular meeting to order at 8:36pm.

III. COMMUNICATIONS TO THE BOARD

Mr. Miller announced that there was an executive session on a matter of litigation at 6 pm directly before the worksession.

Mr. Miller asked for unanimous consent to add the Ferguson Township Strategic Plan Update discussion to the end of the regular meeting. There were no objections from the Board.

IV. CITIZEN'S INPUT

Ms. Buda expressed concern for use of gas leaf blowers, and the effect they have on kids with asthma. She suggested prohibiting/limiting leaf blower uses and/or an educational effort to raise awareness of the effect they have on children with asthma.

V. PUBLIC HEARINGS – 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 TO GENERAL COMMERCIAL (C) A 2.96 ACRE PARCEL AT 3650 WEST COLLEGE AVENUE.

Mr. Stolas stated that the ordinance as advertised for public hearing is to rezone the property located at Tax Parcel 24-004-080 (3650 W. College Ave.). The property is currently owned by James & Elizabeth Irwin. There is an existing sales agreement between the applicant and property owner. The request is to rezone the property from Rural Agricultural (RA) to General Commercial (C). The property is located within the Regional Growth Boundary and currently includes a single-family dwelling unit. The prospective property owner, Team Rahal of Lewistown, LLC has indicated they intend to consolidate the lot with the adjoining property which is zoned General Commercial (C) and construct a new car dealership at the location. The rezoning request has been reviewed and recommended for approval by the Centre Regional Planning Commission and sent to Centre County Office of Planning & Community Development. A letter was received from Lawrence Pharo suggesting that they would like their property (adjacent to the property in question) to go up for rezoning consideration as well, in the future.

Ms. Whitaker moved that the Board of Supervisors adopt Ordinance #1024 rezoning tax parcel 24-004-080, also known as 3650 West College Avenue, from Rural Agricultural to General Commercial. Ms. Dininni seconded the motion.

Mr. Buckland asked if there's sewer service to the adjacent property. Mr. Kunkle replied that there is service, but it is a gravity pressure line system that runs from a pump station. It would require amending the Act 537 Plan.

Mr. Buckland asked what the estimated tax revenue for the Township is, if this property were to be converted to commercial. Mr. Kunkle stated that it would depend on how the property is developed.

ROLL-CALL VOTE: Ms. Whitaker: YES; Mr. Buckland: NO; Ms. Dininni: YES; Ms. Graef: YES; Mr. Miller: YES

VI. ACTION ITEMS

1. REPLOT OF TAX PARCELS 24-004-021R & 24-433-027 – ACCUWEATHER & SOUND TECHNOLOGIES

Mr. Stolas stated that the Planning Commission provided its initial review of the plan submission on August 22, 2016. The purpose of the plan is to replot the property line between Tax Parcel 24-004-027, Sound Technologies, Inc., located at 401 Science Park Road and Tax Parcel 24-004-021R, AccuWeather, located at 385 Science Park Road. The replot will result in a 9,000 square feet or 0.207-acre increase to the AccuWeather tax parcel for revised acreage of 6.333 acres and a resulting acreage for Sound Technologies, Inc. at 10.129 acres. Both parcels are within the Light Industry, Research and Development (IRD) zoning district. A majority of staff and engineering review comments have been addressed through map revisions.

Ms. Dininni moved that the Board of Supervisors approve the replot of tax parcels 24-004-021R, property owned by AccuWeather & 24-433-027, property owned by Sound Technologies. Mr. Buckland seconded the motion.

The motion that the Board of Supervisors approve the replot of tax parcels 24-004-021R, property owned by AccuWeather & 24-433-027, property owned by Sound Technologies, passed unanimously.

2. SIGN ORDINANCE AMENDMENT – PANDY FARM LP

Mr. Stolas stated on September 6, 2016 the Board of Supervisors referred the requested amendment to Chapter 19, Signs and Billboards to the Planning Commission for review and a recommendation. The proposed amendment would allow for not more than two ground signs on a commercial property if a parcel has two or more principal buildings. The applicant was denied a variance request for the same on July 16, 2016 by the Zoning Hearing Board. On October 10th, the Planning Commission reviewed the application and did not recommend that the Board of Supervisors adopt the proposed amendment.

Mr. Raup, Chief Financial Officer of Hoss's Steak House, clarified that the two parcels were not originally combined for parking, it was due to Hoss's adding an addition.

Ms. Graef moved that the Board of Supervisors approve the request to amend Chapter 19 – Signs and Billboards. Ms. Dininni seconded the motion.

Ms. Graef moved that the Board of Supervisors amend the motion to consider these revisions as part of the sign ordinance review rather than a separate motion. Mr. Buckland seconded the motion. The amendment passed unanimously.

Ms. Dininni moved that the Board of Supervisors amend the motion to limit the sign ordinance amendment to parcels in the corridor overlay and where entrances are along an arterial street. Mr. Buckland seconded the motion. The motion passed unanimously.

The motion as amended passed unanimously.

3. NIXON ROAD AND WHITEHALL ROAD INTERSECTION CRASH DATA

Chief Conrad stated at the Regular Meeting on October 17th, the Board directed staff to produce three years of accident data at the intersection of Whitehall Road and South Nixon Road. Staff has completed its review. There have been several accidents at the intersection that have occurred within the three-year timeframe; however, it is unknown which, if any, mitigation techniques will effectively reduce their likelihood of these crashes.

Mr. Modricker stated that to address safety concerns at this intersection in the past, and after consultation with the PADOT District 2 Safety Engineer, the Public Works Department installed the following features on both approaches on Nixon Drive: "STOP AHEAD" legends painted on the roadway, oversized 4 feet wide "STOP AHEAD" signs, oversized 4 feet wide "STOP" signs, and a painted stop bar at the stop sign. Crash data indicate that most of the vehicle operators frequently use Nixon Road and Whitehall Road. Speed may be a contributing factor. Typically, the Board would direct the Township Engineer to complete a traffic study at the intersection and submit a recommendation to the Board of Supervisors based on the record of crashes and observable data with regards to the likely contributing factors any mitigation measures that may reduce vehicle crashes.

Questions were raised about speed data and concerns about people driving too fast.

The Board discussed the use of pavement markings, and traffic signals or rumble strips, but only if they were necessary. The Board agreed that staff should propose recommendations for the Board based upon their experience and to not pursue further traffic studies. There were no objections from the Board.

4. FIRST NIGHT DONATION REQUEST

Mr. Kunkle stated that the Central Pennsylvania Festival of The Arts has applied for a donation of \$550 from the Township for First Night State College. The funds would be used to purchase two sculptures – one located in Sydney Friedman Park and the other located at Mayor Welch Plaza at the State College Borough Municipal Building. This is an annual request and the Township has appropriated this amount in its 2016 Operating Budget.

Mr. Buckland moved that the Board of Supervisors approve the donation request of \$550.00 to the Central Pennsylvania Festival of the Arts, Inc. for First Night State College. Ms. Graef seconded the motion. The motion passed unanimously.

5. CONSENT AGENDA

- a. Contract 2016-C14 Tree Trimming
- b. Contract 2016-C9 Microsurfacing

Ms. Whitaker moved to approve the consent agenda. Ms. Graef seconded the motion. The motion passed unanimously.

6. Ferguson Township Strategic Plan Update

Mr. Pribulka stated that the Board of Supervisors met with staff and Peter Marshall of Peter S. Marshall & Associates at a worksession on September 10th to draft the goals and objectives of an updated Ferguson Township Strategic Plan. The plan was last updated in 2014, and many of

the objectives in the plan have been completed or priorities have changed. A draft of the updated plan was provided to the Board members on October 21st and a copy of the draft update is provided with the agenda packet. In addition to the worksession, a series of three focus group meetings were facilitated in each ward of the Township. A non-scientific survey was also made available on the Township's website. The draft update attempts to incorporate the feedback from residents, Board members, and stakeholders.

Ms. Dininni questioned the 'vision' of the Strategic Plan Update and what is meant by 'vital town center'. Mr. Kunkle replied that something that was expressed in prior strategic plans was that Ferguson Township as a whole is a nice place to live but doesn't have a sense of place. The idea is that the Township will work towards the idea of a town center, that will give the Township a sense of place. There was a hope that the Pine Hall Center could possibly provide that vision. It was suggested re-wording the vision to make it sound as if it is something being worked towards and not as something that already exists.

Other suggested revisions included retaining past wording in regard to preservation of farmland and open space, clarifying that the Township is not promoting wood burning but rather that it be done in an environmentally responsible way, creation of an advisory group on Renewable Energy, use of an advisory group for the update to the Recreation, Parks and Opens Space Plan and clarification of what is meant by a town center to develop a sense of place.

VII. CALENDAR ITEMS – OCTOBER

Budget Meetings will be held the week of November 14th.

VIII. MINUTES

1. October 17, 2016 Board of Supervisors Regular Meeting

Ms. Whitaker made a motion to APPROVE the October 17, 2016 Board of Supervisors Regular Meeting Minutes. Mr. Buckland seconded the minutes. The motion passed unanimously.

IX. ADJOURNMENT

Mr. Buckland made a motion to ADJOURN the meeting. Ms. Dininni seconded the motion.

With no further business to come before the Board of Supervisors, Mr. Miller adjourned the regular meeting at 10:20 pm.

Respectfully submitted,



Mark Kunkle, Township Manager

For the Board of Supervisors

Date approved by the Board: 11/21/2016