

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Monday, February 6, 2017

7:00 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, February 6, 2017 at the Ferguson Township Municipal Building. In attendance were:

Board: Steve Miller

Janet Whitaker

Laura Dininni

Peter Buckland

Rita Graef

Staff: Mark Kunkle, Township Manager

Dave Modricker, Director of Public Works

Ray Stolinas, Director of Planning & Zoning

Ron Seybert, Township Engineer

Others in attendance included: Marcella Bell, Recording Secretary; Neil Millar, Barbara Fisher, John Fisher, Lewis Steinberg, Wes Glebe, Bill Keough, Boy Scout Pack 82, and other people to speak about the proposed COG Resolution.

II. CALL TO ORDER

Mr. Miller called the Monday, February 6, 2017, regular meeting to order at 7:02 pm.

Mr. Miller explained that per Robert's Rules, the Supervisors have the ability to amend the agenda to add, remove, or reorder items on the agenda.

A motion was made by Ms. Graef and seconded by Ms. Dininni to adopt the February 6, 2017 agenda as printed. No action was taken on this motion.

A motion was made by Ms. Graef and seconded by Ms. Dininni to move Item #10 under VI. New Business to Item #2 under VI. New Business. The motion carried unanimously.

Ms. Graef explained that included in the agenda for the February 9, 2017 Parks Capital Committee meeting is an item for regional municipalities to discuss the definition of regional parks to bring back to the Parks Capital Committee for discussion. Ms. Graef provided a few points for discussion in the agenda packet.

A motion was made by Ms. Graef and seconded by Ms. Whitaker to add an agenda item for brief discussion (10 minutes) about the definition of regional parks. The motion carried unanimously.

Ms. Dininni stated that she discussed the need for a definition of regional parks with Executive Director of the Centre Region Parks and Recreation Authority, Pam Salokangas. Ms. Dininni stated that College Township discussed the definition of regional parks along with the design options of Whitehall Road Regional Park. In the opinion of Ms. Graef, the two topics should be disassociated because there is no information regarding the budget or amenities of the design options. The Capital Parks Committee is looking for feedback for the definition of regional park to apply not only to the Whitehall Road Regional Park, but future regional parks as well. The agenda did not call for discussion of the design options regarding Whitehall Road Regional Park.

Mr. Buckland made a motion to call the question. The motion failed 3-2.

Mr. Miller stated that the Board has not been asked to discuss the three design options for Whitehall

Road Regional Park, so that discussion should be held once the Board of Supervisors has been asked to do so.

Ms. Dininni stated that it was recommended by Carla Stilson, Vice-Chair of College Township Council, to bring the discussion of design options back to municipalities for discussion and feedback. The dialog would not be mutually exclusive in terms of what would be envisioned in terms of defining a regional asset for this community.

Mr. Buckland stated that he is concerned that the discussion would entangle the definition of regional park with what the Board of Supervisors believe should happen with Whitehall Road Regional Park.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to discuss the definition of regional parks further as it relates to the future endorsement of a design option for Whitehall Road Regional Park when it moves forward. The motion failed 3-2.

A motion was made by Ms. Dininni to change the discussion of the definition of regional parks from 10 minutes to 15 minutes. There was no second.

A motion was made by Mr. Miller to adopt the agenda as amended. The motion carried unanimously.

III. CITIZENS INPUT

Wes Glebe of 115 North Butz Street asked if there will be a traffic light installed at the intersection of Bristol and Blue Course.

Mr. Modricker stated that there have been studies that looked at that specific intersection, but it's not currently in this year's operating budget. It is in the 5-year operating budget, but the warrant for such a light has not been met yet. There have been some development plans that may trigger a requirement for a light at that intersection.

Neil Millar of the Nittany Mountain Biking Association stated that the association has been working with DCNR to put bike trails in the Rothrock State Forest. DCNR has approved three tracts to use for bike trails, two of which are in Ferguson Township. DCNR would like to get a memorandum of understanding from the Ferguson Township Board of Supervisors to allow people to travel on these bike trails before they have a final approval.

Mr. Kunkle stated that there would need to be more background information to provide to the Board of Supervisors to approve the use of the land for bike trails.

Barbara Fisher of 1340 East Park Hills Avenue expressed her gratitude to the Board of Supervisors for allowing the funding of the East Park Hills Avenue Traffic Calming Study. Ms. Fisher stated that in the Park Hills neighborhood, there are straight stretches where people speed, blind curves, hills, a lack of curbs, no streetlights, and no sidewalks. There is also a problem with high volumes of cars cutting through the neighborhood. She stated that the study results showed that volume was an issue, but it did not meet the threshold for a speed issue. Some of the residents though that if the study was done differently, the speed issue would have been shown through the results. Ms. Fisher stated that the residents of her neighborhood feel that speed is the main issue. Ms. Fisher asked the Board of Supervisors to consider changing or amending the Traffic Calming Policy process in order for the residents of East Park Hills to come to a resolution about the issues their neighborhood faces. She stated that she hoped there would be another public meeting to discuss more options other than the five proposed at the first public meeting. Ms. Fisher stated that this may not be a traffic calming issue but more of a safety issue.

Asher Collins of Boy Scout Pack 82 explained that the local park, Homestead Park, is not completely paved. There is a loop that goes around the soccer field and parts of it are gravel, while the rest is paved. Asher Collins is concerned that people will hurt themselves because of the gravel. He asked the board to consider paving the whole loop to reduce injuries.

IV. JANUARY 17, 2017 BOARD OF SUPERVISORS MEETING MINUTES

A motion was made by Ms. Whitaker and seconded by Ms. Graef to approve the corrected January 17, 2017 Board of Supervisors meeting minutes. The motion carried unanimously.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to amend the January 17, 2017 Board of Supervisors meeting minutes to include the specific meeting dates that were discussed. The motion failed 1-4.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to include "Ms. Dininni expressed concern over a lack of reporting in the face of great taxpayer expense" after "expressing an interest in developing a citizen's advisory board." The motion carried unanimously.

V. REPORTS

1. Authorities Boards and Commissions Reports

a. SCHLOW Centre Region Library

Mr. Steinberg introduced himself as the Township representative for the SCHLOW Centre Region Library. Mr. Steinberg stated that the library had just celebrated it's 60 -year anniversary recently. The meeting centered around year-end information and the future of SCHLOW library. In 2016, checkouts were up 2.1% which was higher than 2015 checkouts. The greatest growth of checkouts were e-books and audios. Physical book checkouts increased 2%. DVDs and CDs decreased in checkouts from 2015. There was record high in financial donations made to the library in 2016. Centre Gives and the year-end appeal were the two largest sources of financial donations. The year-end appeal brought in \$92,700 compared to 2015, which was 85, 000. In the overall budget, donations were 67% higher than the budgeted amount for the year. In addition, there was a significant estate gift: the entire estate of Ferguson Township resident Joyce Gonard which encompassed \$600,000. Joyce's donation is being invested through the Centre Foundation, per an agreement between the SCHLOW Foundation and the Centre Foundation. Library visitations increased 4% in 2016. Using a new feature, over 1,000 people downloaded a library card through the library card app. In 2016, volunteer hours increased 16%. Mr. Stenberg went on to list the various facility upgrades SCHLOW Library received. Mr. Steinberg thanked the Ferguson Township Board of Supervisors for their continued support of the SCHLOW Centre Region Library.

2. COG Committee Reports

a. Human Resources Committee

Ms. Whitaker stated that the Human Resources Committee met February 1, 2017 and appointed Ms. Whitaker to serve as vice chair of the committee. Ms. Whitaker explained that the meeting was mostly informational and no action was taken. The committee will next meet on the first Wednesday in March.

b. Public Services & Environmental Committee

As Mr. Buckland was unable to attend the meeting, Mr. Miller provided the report. He stated that a question was posed as to whether or not the Centre Region municipalities would

support having an AmeriCorp volunteer working on sustainability and energy tasks. Mr. Miller reported to the committee that Ferguson Township would support that measure. The main topic of the meeting was an update on the Regional Organics Recycling Program, which is currently scheduled to start in June 2020.

In response to a statement from Ms. Dininni, Mr. Buckland stated that COG Planning Director Jim May and COG Recycling Coordinator Pam Adams tasked Mr. Buckland with putting together additional points for the AmeriCorp position. Mr. Buckland expressed that he would like feedback from the Board of Supervisors to create that list.

c. Transportation & Land Use Committee

Ms. Whitaker stated that the Transportation & Land Use Committee met February 6, 2017 at noon. The meeting was mostly informational. Mr. May gave an update of the Land Development review process. Some projects in Ferguson Township that are up for study and review are Dunkin' Donuts/ Weis Gas-n-Go land development, The State College Alliance Church land development, and Hunters Chase Phase 6 conditional use. COG Transportation Planners Trish Meek gave a report on the Centre Region's Bronze Level Bicycle-Friendly Community status, and Tom Zilla reviewed PennDOT's Connection Policy for Early Engagement in the Transportation Improvement Plan (TIP) Process. As a committee, a decision should be made about which project(s) on the 2017-2020 TIP should be focused on. The next meeting will be the first Monday of March.

3. Staff Reports

a. Manager's Report

Mr. Kunkle stated that attached to the Manager's Report are three letters of communication to the Board of Supervisors: First, there is a letter of appreciation from the Schlow Centre Region Library Board of Trustees. Second there is a status report on the Slab Cabin Run initiative. Lastly, there is a letter from the Centre County Planning & Community Development office announcing the opening of the 2017 Community Development Block Grant (CDBG) Program.

b. Public Works Director

Mr. Modricker gave handouts to the Board of Supervisors to go along with Item 1 in his report regarding the East Park Hills Traffic Calming Study. Mr. Modricker gave an overview of the action and events that have taken place since the January 25, 2017 public meeting. Mr. Modricker added that this item could be added to a future Board of Supervisors agenda to go into detail about the results and possible options. The Traffic Calming policy does not involve the Board of Supervisors until after the neighborhood has been petitioned to vote on preferred options. Since the options were not well received, Mr. Modricker would like to have discussion to hold another public meeting to explore other possible options.

Referring to the options that would negatively affect CATA's bus routes in the aforementioned neighborhood, Ms. Graef asked Mr. Modricker to consider having CATA do a formal review of the preferred option.

Mr. Modricker stated that Township staff attended a pre-construction meeting for the West College Avenue Streetscape Sidewalk Project. Weather pending, the project is scheduled to start the first full week in March. The affected property owners will receive a letter reminding them to remove all items in the right-of-way. Mr. Modricker announced that the next Tree Commission meeting is on February 13, 2017.

In response to a question from Ms. Dininni, Mr. Modricker stated that the Tudek Dog Park Water Line Project will start in later summer or fall. The project includes running a waterline to the Butterfly Garden and looking at the pressure of the water in the line going to the existing restroom.

In response to a question from Ms. Dininni regarding Penn State owned land, Mr. Modricker estimated that Penn State owns about a quarter of the land in the affected area. He stated that in a land development, Penn State would have to construct a sidewalk.

In response to a question from Ms. Dininni regarding the Martin Street project, Mr. Modricker stated that there is a CATA bus pull off on one side of the street but not the other.

c. Planning and Zoning Director

Mr. Stolas stated that the Planning Commission met on January 23, 2017 and discussed the Official Map. Ferguson Township adopted its last Official Map under Ordinance #903 on May 19, 2008. The Official Map shows the locations of planned future public lands and facilities such as transportation, recreational parks and trails, and open space. The Official Map expresses a municipality's interest in acquiring these lands for public purposes sometime in the future. Staff has been working on updating the 2008 Official Map, as the map provided this evening is the first draft of the 2017 Official Map update. The Planning Commission reviewed a draft version of the updated map and provided comments related to agricultural security areas, university owned lands, existing and proposed bicycle facilities, and the future fire station location.

Mr. Stolas stated that the Zoning and SALDO update steering committee, the Planning & Zoning staff, and EPD met on Thursday, January 19, 2017. The discussion centered around residential and community-based solar energy provisions, potential merging of zoning districts (OC and C/RR and RA), PRDs and Cluster Development. Staff scheduled a meeting on February 2 with representatives from the agricultural community relating to potential changes in the RA and RR zones. The meeting was requested at the recently held Coffee & Conversation at Baileyville. The next steering committee will be scheduled for March 16.

Mr. Stolas stated that the Sourcewater Work Group and Planning & Zoning staff reconvened meetings to review written comments from those presented at the Planning Commission meeting. Staff has provided responses to comments and presented them to the Sourcewater Work Group for further discussion and consideration for update and revision within the draft ordinance. A meeting has been scheduled for February 9 to continue this process. On February 2, agricultural representatives also provided input on the proposed draft ordinance.

Planning & Zoning staff worked the past several months on proposed ordinance language for the BOS to consider amending the existing Chapter 13 – Signs. This is a result of the Supreme Court decision in the Reed vs. Town of Gilbert, AZ case related to content neutral sign regulations. Municipal sign regulations should adhere to time, place, and manner. Content neutral regulations do not apply to or affect the sign message, or communication on the sign in any way. It does not pertain to lettering, the graphics, the speech, the artwork, the colors, or prohibit or control the use of any of these characteristics. Planning & Zoning staff will present a summary of information at the next Board of Supervisors meeting along with the draft ordinance for the Board's consideration.

VI. OLD BUSINESS

1. CONTINUATION OF A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 1 ADMINISTRATION AND GOVERNMENT.

Mr. Miller explained that the Board of Supervisors started this public hearing at the last meeting. The motion from the previous public hearing was to adopt changes to the ordinance; however, the Board then amended those changes so it is no longer the ordinance that was previously advertised.

A motion was made by Mr. Buckland and seconded by Ms. Graef to postpone the motion currently on the table indefinitely. The motion carried unanimously.

2. PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 1 ADMINISTRATION AND GOVERNMENT

On January 23, the Board was provided with a complete copy of the Administrative Code including revisions. These revisions include the previously authorized changes as well as revising the text of the code to make its language gender-neutral. A copy of the January 23 marked up copy of the Administrative Code is provided with the agenda.

A motion was made by Ms. Graef and seconded by Mr. Buckland to authorize the marked-up ordinance of January 23, 2017 to be advertised for a public hearing. There was no action on this motion.

A motion made by Ms. Dininni and seconded by Ms. Whitaker to amend the ordinance to replace the term "weeks" with the number of days throughout the entire ordinance. The motion carried unanimously.

Ms. Dininni stated that she proposed conflict of interest language because redundant passages are valuable in the code when it is particularly common to consult one passage—for example the rules of procedure. If you look at the Rules of Procedure section, there is nothing included about disqualification of voting.

Mr. Miller wanted to be assured that the language Ms. Dininni stated in her motion was the same language in the ordinance. Mr. Miller stated that "as set forth by the Commonwealth State Ethics Act 120 of 1978 as amended or may be amended from time to time" should be included in the aforementioned language because the Commonwealth State Ethics Act 120 of 1978 specifically states that a conflict of interest is a matter of pecuniary interest—personal interest is not defined.

Ms. Dininni replied that on the page before that specific language, the Board of Supervisors defined personal interest within the ordinance. It would be contradictory to include the language from Mr. Miller. Mr. Miller stated personal interest has already been defined by Act 120.

Mr. Buckland asked the Board to consider killing the prior motion to allow time to discuss the issues surrounding 1-804 Conflicts of Interest 2. Disclosure and Disqualification and 1-608 Rules of Procedure #3. Ms. Dininni replied that she would be in favor of killing the motion if the Board got a legal opinion from the Township Solicitor concerning the two passages.

Mr. Miller clarified that Ms. Dininni's motion was to include the language set forth in the agenda,

and not from the 1-804 passage. He stated that he would be opposed to Ms. Dininni's motion because there would be two separate passages with two separate definitions of personal interest.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to include a passage from Part 8 Code of Ethics 1-804 Conflicts of Interest 2. Disclosure and Disqualification which states "Whenever the performance of his or her official duties shall require any official or employee to deliberate and vote on any matter involving his or her financial or personal interest, she or he shall publicly disclose the nature and extent of such interest and disqualify him or herself from participating in the deliberation as well as in the voting." into Part 6 Board of Supervisors 1-608 Rules and Procedure #3. No action was taken on this motion.

A motion was made by Mr. Buckland and seconded by Ms. Graef to postpone discussion on the above motion to a later meeting. The motion carried 4-1.

Mr. Miller asked for any other amendments.

A motion was made by Ms. Dininni to make an amendment to part 4 Boards and Commissions, A. General Provisions; Administrative 1-406 Meetings; Procedures for Meetings, F. General Provisions; advisory 1-456 Meetings; Procedures for Meetings #8 to make the passage consistent in the correct manner. There was no second on the motion.

A motion was made by Ms. Dininni to make an amendment to determine the meaning of Section 1-404.5 and 1-454.5 Appointments, Vacancy, Removal, and Term of Office Members. There was no section on the motion.

Mr. Miller stated that he believes the state of Pennsylvania has laid out a definition of personal interest that is consistent to be adopted at the local level. Mr. Miller explained that the state definition should be adopted instead of using "an interest arising from a blood or marriage relationship or from close business relationship, whether or not any financial interest is involved" as the definition of personal interest in the administrative code.

A motion was made by Mr. Miller and seconded by Ms. Graef to amend the administrative code by changing the definition of personal interest to reference the Commonwealth State Ethics Act 120 of 1978 definition of personal interest. No action was taken on this motion.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to postpone discussion of the above motion to a later meeting. The motion carried 4-1.

VII. NEW BUSINESS

1. CONSENT AGENDA

a. Guenot Subdivision – Time Extension

A motion was made by Ms. Dininni and seconded by Ms. Whitaker to approve the Guenot Subdivision time extension. The motion carried unanimously.

2. PROPOSED COG RESOLUTION

Mr. Kunkle stated that on January 27, 2017 President Donald Trump signed an executive order to "protect the American people from terrorist attacks by foreign nationals admitted to the United States." The executive order has placed a moratorium and review on immigration from Iran, Iraq,

Libya, Somalia, Sudan, Syria, and Yemen all of which are majority Muslim countries from which large numbers of people are migrating to other nations, including the United States. A number of Centre Region citizens and legislators are concerned that the order will negatively impact the welfare, livelihood, and dignity of immigrants and refugees, especially those who practice Islam, believe that COG should consider a resolution addressing these issues.

At the January 30 General Forum meeting, the Executive Committee was asked to consider whether the General Forum should consider a resolution that expresses its support for community diversity and values of inclusion and opposition to immigration policies that disadvantage some groups of people. The Executive Committee meets on February 21 and will consider municipal comments at that time.

Mr. Miller stated that whether or not the Board of Supervisors supports the COG going forward with this resolution, the Board should focus on the text of the resolution. Mr. Miller then opened the floor to residents who wished to provide comments.

Several Ferguson and State College Borough residents expressed their general support of the proposed COG resolution. Many of them shared their personal stories about their life as a dual citizen and the impacts President Trump's executive order will have on their lives. A few of the residents explained the impact the executive order is already having on Penn State regarding international students and scholars. Many of them shared the opinion that all Ferguson Township residents should feel safe in their homes, regardless of the country they were born in.

Mr. Steinberg stated that all Americans are immigrants, and we should not forget that it is the basis of this country and one of the greatest strengths the United States has. Mr. Steinberg expressed that the community should support all of our neighbors, regardless of where they've come from. The best way to show our neighbors that they are important in the community is to urge COG to support this resolution.

An immigration lawyer introduced herself as a nine-year resident of Ferguson Township who has been an immigration lawyer for the past 20 years. She also runs the Center for Immigrants' Rights Clinic at Pennsylvania State University. Ms. Sivaprasad Wadhia explained that she would be happy to answer any legal questions about the resolution. She expressed that the language of the resolution was carefully selected and makes the community more inclusive.

Mr. Keough stated that he supported the proposed COG resolution that address the Region's citizens in an inclusive manner. He expressed that he is intimidated and scared to ask questions about this topic for fear of being called racist and islamophobic. He suggested that this issue be addressed once the executive order gets worked out at the court level.

Heather Davis, a State College Borough resident, urged the Board of Supervisors to keep the language in the resolution that states "BE IT FURTHER RESOLVED, that the COG opposes any immigration policies at the local, state and federal level that seek to register and track individuals based on religion, ethnicity, national origin, nationality, or citizenship as a law enforcement tool as undermining the COG's commitment to non-discrimination and are counterproductive."

After the citizens' comments, the floor was turned over to Mr. Buckland. He expressed his thanks to the residents for coming to the meeting. After a brief comment, Mr. Buckland announced his full support of the proposed COG resolution.

Ms. Whitaker expressed that it is inappropriate for COG to advertise their political beliefs. She expressed concern over the language in the resolution that states "BE IT FURTHER RESOLVED, that the COG opposes any immigration policies at the local, state and federal level that seek to register and track individuals based on religion, ethnicity, national origin, nationality, or citizenship as a law enforcement tool as undermining the COG's commitment to non-discrimination and are counterproductive." Ms. Whitaker went on to explain that it is not up to the COG to determine which laws or policies to disregard.

Mr. Buckland responded to Ms. Whitaker's comment that there might be a legal implication with the Township due to the resolution language, but he felt the COG should move forward anyways.

Mr. Miller stated that although immigration law is outside of local government control, the recent events stemming from the executive order has made it a local matter as well as a federal matter. He explained that this resolution is just a statement and does not create or break any laws.

Ms. Graef stated that as a representative, she feels it's necessary to represent the diversity contained in Ferguson Township. Ms. Graef went on to share that she is a child of first generation immigrants. She expressed that she supports the position of the resolution but is concerned that there is no "teeth" because COG does not oversee the police forces in Centre Region.

Ms. Dininni expressed great thanks to the residents for their comments. She stated that passing a resolution is great, but the dialogue is what is more important. Ms. Dininni expressed her support of the proposed COG resolution.

Mr. Miller stated that there is no action to be taken on this proposed resolution, and he will bring forward the comments of the Board of Supervisors to the next COG General Forum meeting.

Mr. Miller called for a 10-minute recess.

3. PUBLIC HEARINGS

- a. A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING THE NAMING OF BLACKSMITH LANE TO IMPROVE AND ENHANCE THE DELIVERY OF MAIL AND RESPONSE OF EMERGENCY SERVICES PERSONNEL FOR PROPERTIES LOCATED ON THE LANE

Mr. Kunkle stated at the last Board of Supervisors meeting, the Board approved the Guenot Subdivision. This private lane gives access to the newly created parcel.

A motion to made by Ms. Graef and seconded by Ms. Dininni to approve the resolution naming Blacksmith Lane as a private street in Ferguson Township.

ROLL CALL VOTE: Dininni – YES; Graef – YES; Mr. Miller – YES; Mr. Buckland – YES; Ms. Whitaker -- YES

4. ANNUAL STORMWATER MANAGEMENT PROGRAM UPDATE

Mr. Seybert gave a PowerPoint presentation regarding the review of the annual Stormwater Management Program. Mr. Seybert gave information on the requirements of an MS4 Permit, which includes implementing a Stormwater Management Program as well as developing and implementing a Chesapeake Bay Pollution Reduction Plan. He went on to explain the six

minimum control measures the permit requires. Mr. Seybert discussed the pollution prevention strategies that Ferguson Township practices: fleet maintenance options, fleet fueling options, salt storage application, road/storm sewer system, waste collection, and training programs. The Township is working with the MS4 partners and a consultant to create a Pollutant Reduction Plan. The plan should be finished at the end of 2017 so that those MS4 partners can use it in their next permit cycle. Mr. Seybert discussed the funding options for the Stormwater Management Program.

In response to several questions from Ms. Dininni concerning public outreach, Mr. Seybert stated two public events are hosted by Clearwater: The Rainbarrel Workshop near the Patton Township building, and it helps coordinate the Watershed Clean-Up day. Clearwater also keep the MS4 Partner website current, and posts "advertisements" in the Centre Daily Times in behalf of all of the MS4 partners.

In response to a few questions, Mr. Seybert explained that an outfall screening is where Ferguson Township's storm system discharges to a regulated waterway. The Township will do outfall screenings to check for illicit discharge. Mr. Seybert explained that the DEP requires permit holders to have a Pollution Reduction Program because of an action implemented by the EPA.

5. BLUE COURSE DRIVE SPEED STUDY

Mr. Modricker stated that at the request of the Board of Supervisors, staff conducted a speed study of Blue Course Drive. The original request was to review the posted speed limit between Old Gatesburg Road and West College Ave. During the study it was determined that a change to the speed limit may be warranted for a longer segment of Blue Course Drive. Mr. Modricker then turn the floor over to Mr. Seybert.

Mr. Seybert explained that the speed limit study evaluated the existing 50 mph posted speed limit to determine if it is appropriate based upon current conditions. The study considered current traffic speeds, crash history, and geometric conditions of the street. A full copy of the engineering study is attached to this memo in the road file.

Based upon the completed study, it is recommended that the speed limit for Blue Course Drive between West College Avenue and Circleville Road be reduced from 50 mph to 45 mph.

A motion was made by Mr. Buckland and seconded by Ms. Whitaker to have staff prepare an ordinance that will reduce the speed on Blue Course Drive from West College Avenue to Circleville from 50 mph to 45 mph. The motion carried unanimously.

6. CENTRE COUNTY COMMISSIONERS PROPOSAL TO INCREASE MOTOR VEHICLE REGISTRATION FEE BY 5 DOLLARS

Mr. Kunkle stated that on January 16, the Board of Supervisors received information from the County Commissioners office seeking municipal elected official's opinions on enacting a \$5 vehicle registration fee in Centre County. This additional registration fee has been authorized under Act 89 of 2013 and allows counties the option to generate transportation funding by assessing a \$5 fee on vehicles registered in the county. Provided with the agenda is the information supplied by the County Commissioners. The County Commissioners are requesting a response to a municipal survey by March 1st. Staff has provided draft responses to the municipal survey where appropriate.

Mr. Miller stated that he felt that Ferguson Township should not have any input on this fee because it is a county fee, and Centre County will decide where to distribute the funds. Mr. Miller encouraged the Board members to fill out the factual information on the provided survey.

In response to a question from Ms. Whitaker, Mr. Miller explained that while the collected money will stay in Centre County, it may not be used in Ferguson Township.

In response to a question from Ms. Graef, Mr. Kunkle stated that the fee would be collected by the Department of Transportation when vehicle registration is renewed.

Ms. Dininni stated that as there are a lot of projects in the county that could benefit from these funds, she supports the Centre County Commissioners in implementing this fee.

There was a consensus that the Board of Supervisors will support Centre County's decision, and will submit the completed survey to the Centre County Commissioners.

7. DISCUSSION OF CATA REVISED FUNDING FORMULA

Mr. Miller stated that the Finance Committee has asked for feedback and comments from municipalities regarding the proposal to revise the CATA funding formula for municipal contributions. The memo attached outlines the process used to arrive at the proposal to change the local contribution funding formula to a funding formula based upon population, service miles, and number of stops. Each of these three factors are weighted in order to arrive at the proposed local contribution funding. The Finance Committee will be meeting on February 9 to further review the formula and receive feedback from committee member's discussions with their governing bodies.

There was a consensus that the Board of Supervisors finds the proposed change in the CATA funding formula acceptable.

8. DISCUSSION OF APPOINTMENTS TO REGIONAL PARK PLAN COMMITTEE

Mr. Kunkle stated that on Monday January 30, the General Forum requested the Centre Region municipalities to provide suggestions regarding the group within the COG that should propose the membership of an Ad Hoc Regional Comprehensive Parks and Recreation Planning Committee. Recommendations are requested to be referred to the COG Executive Director by Thursday February 16.

After some discussion, there was a consensus that the Board values a maximized stakeholder involvement in the proposed membership of an Ad Hoc Regional Comprehensive Parks and Recreation Planning Committee. Including a representative to represent all of the types of sports was noted as well and that the Executive Committee determine how the appointments would be made.

9. DISCUSSION TO REQUEST COG TO COMPLETE A SATELLITE FIRE STATION NEEDS STUDY FOR FERGUSON TOWNSHIP

Mr. Kunkle stated the 2017-2021 Township Capital Improvement Program Budget includes potential funding for the acquisition of land associated with a potential satellite fire station in Ferguson Township. Staff has had initial communications with Steve Bair, Centre Region Fire

Director, regarding the process that needs to be initiated to conduct a satellite fire station study. The process laid out by Mr. Bair is as follows: 1) COG staff proposes the study as a new work item and gains concurrence of the Public Safety Committee, 2) COG staff collects and analyzes data and issues a formal report to the Township with recommendations, 3) The Township would then act upon the report as it deems appropriate, should the Township decide to go forward with the development of a satellite fire station the General Forum concurrence would be sought to accept the long term responsibility for the care and maintenance of the facility.

A motion was made by Ms. Graef and seconded by Ms. Dininni to request the COG Public Safety Committee to support a proposed satellite fire station study to be conducted by the COG Fire Director. The motion carried unanimously.

10. APPOINTMENTS TO THE CENTRE REGION CODE BOARD OF APPEALS

A motion was made by Ms. Graef and seconded by Ms. Whitaker to appoint the following individuals to the Center Region Building and Housing Board of Appeals for a three-year term commencing February 15, 2017: Property Maintenance Board; Ryan Solnosky, Plumbing Board, Moses D. F. Ling PE, RA, Mechanical Board; Moses D. F. Ling PE, RA (Alternate), Property Maintenance Board; Lisanne Semion (Alternate) and the Electrical Board; Richard Harris PE & Kirk Lauer PE (Alternate). The motion carried unanimously.

11. DISCUSSION OF DEFINITION OF REGIONAL PARK

Ms. Graef stated that the COG Park Capital Committee has asked Centre Region municipalities for discussion and feedback on their opinion of the definition of a regional park. On the projector, Ms. Graef presented a few points that the Board of Supervisors could discuss. Each Board member gave their opinion of the topic:

Ms. Whitaker stated that a regional park should be larger than a neighborhood park. Various amenities for different groups of people should be considered for a regional park.

Mr. Miller stated that regional parks have been looked at in the way they are administered, but the concept of a regional park has not. Mr. Miller stated that he felt the definition of regional park should continue to be administrative. Since the capital cost is provided by the COG instead of individual municipalities, it is a regional park.

Mr. Buckland stated that a regional park is regionally funded in its capital and maintenance program cost. A regional park would draw visitors from across the region. Mr. Buckland stated that there are consequences for amenities and the size of the park that are coupled to the park's intent.

Ms. Dininni stated that a regional park should draw visitors from several regions and across county lines, not just the municipalities that the regional park encompasses. Parks that call themselves regional parks should provide unique facilities. A regional sports plex could be a way to designate a regional park, but it should be within a larger, diversified group of amenities. A regional facility that serves the COG and supported by our taxpayers is one kind of regional park. A regional facility that benefits citizens outside of the Centre Region is another type of regional facility.

Ms. Graef thanked the Board members for their input.

VIII. COMMUNICATIONS TO THE BOARD

Ms. Dininni stated that she had two additional communications to the Board.

IX. CALENDAR ITEMS – FEBRUARY

There was no discussion

X. ADJOURNMENT

With no further business to come before the Board of Supervisors, Mr. Miller adjourned the regular meeting at 11:30 pm.

Respectfully submitted,

A handwritten signature in black ink, reading "Mark A. Kunkle". The signature is written in a cursive, flowing style.

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 03/20/2017