

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Monday, March 20, 2017

7:00 p.m.

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, March 20, 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 Pribulka, Assistant Township Manager
Dave Modricker, Director of Public Works
Ray Stolinas, Director of Planning & Zoning
Diane Conrad, Chief of Police

Others in attendance included: Michael Pratt, Land Design; Derek Anderson, Residential Housing Development, LLC; Charles Suhr, Stevens & Lee; Stephanie Pankiewicz, Land Design; Peter Crowley, Land Design; and Steve Jackson, Ferguson Township representative to State College Borough Water Authority

II. CALL TO ORDER

Mr. Miller called the Monday, March 20, 2017 Board of Supervisors meeting to order at 7:00 p.m. Mr. Miller asked for a motion to adopt the agenda as published.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to include a request from the COG General Forum that members of the COG Executive Committee consult with their governing boards or councils in order to obtain the opinions of the board or council on the composition of a steering committee for the Parks and Recreation Regional Comprehensive Plan. The motion passed unanimously.

The aforementioned subject will be discussed under item 12 under New Business. There was unanimous consent to adopt the agenda as amended.

III. MINUTES

1. February 2, 2017 Joint Planning Commission & Board of Supervisors Worksession
2. February 6, 2017 Board of Supervisors Meeting
3. February 21, 2017 Board of Supervisors Meeting

A motion was made by Ms. Whitaker and seconded by Ms. Graef to approve the February 2, 2017 Joint Planning Commission & Board of Supervisors Worksession, February 6, 2017 Board of Supervisors meeting, and February 21, 2017 Board of Supervisors meeting as published. The motion passed unanimously.

IV. REPORTS

1. COG COMMITTEE REPORTS

a. Executive Committee—Mr. Miller

Mr. Miller stated that the Executive Committee will be meeting Tuesday, March 21, 2017. The main items on the agenda are to discuss the draft resolution to affirm community inclusiveness, membership to the steering committee for preparing a Parks and Recreation Regional Comprehensive Plan, an update on the Regional Organics Program, an update on the overtime policy, and an update on the Whitehall Road Regional Park.

In response to a question from Ms. Dininni, Mr. Miller stated that most often, the Executive Committee agenda comes out after the Board of Supervisors agenda. Mr. Pribulka clarified that the Board is a month behind on the Executive Committee report because the March 6, 2017 Board of Supervisors meeting was canceled.

b. CCMPO Coordinating Committee

Ms. Whitaker stated that the CCMPO Coordinating Committee met February 28, 2017. The committee received a status report from PennDOT District 2 about Center County Highway and Bridge Projects. Centre County Commissioner, Michael Pipe, gave a presentation on the possibility of assessing a \$5.00 fee to vehicle registration in Centre County, which could yield up to \$600,000 in additional funding annually for local transportation projects. All of the revenue created from this fee must be used for transportation projects and must be used in Centre County.

The committee also received a presentation from Pennsylvania Secretary of Transportation, Leslie Richards, about the new PennDOT Connects Policy. This policy allows PennDOT staff and municipal officials to work together to solicit community needs earlier in the project development process. The committee took action to amend the Highway Element of the 2017-2020 Centre County Transportation Improvement Program (TIP) to allocate over \$2 million in unspent earmarked funds to the I-99/Mount Nittany Expressway paving project. Ms. Whitaker stated that for more information on the earmarked funds, you can visit ccmpo.net. The next CCMPO Coordinating Committee meeting is April 25, 2017 at 6:00 PM at the Patton Township Municipal building.

In response to a question from Ms. Graef regarding the definition of transportation relating to the \$5.00 fee, Ms. Whitaker replied that the definition includes anything having to do with transportation.

c. Public Services & Environmental (PSE) Committee

Mr. Buckland stated that the University Area Joint Authority (UAJA) provided comments to the PSE Committee about why the authority can't participate regarding the Clearwater Conservancy Slab Cabin Run Initiative. Mr. Buckland explained that the UAJA won't gain a direct benefit for their operations, so they can't contribute money to the initiative. There was a discussion about Nutrient Credits, and concern for "double-dipping" of Nutrient Credits, which is currently prohibited. There were extensive comments from several entities (including the Centre Regional Planning Agency, the State College Borough Water Authority, the College Township Water Authority, and the Penn State Physical Plant Department) regarding the possible expansion of the Beneficial Reuse System. The main comments were concern for financial issues, water quality issues, hydrology, customer base in the service area, and public participation in ongoing projects.

In response to a question from Ms. Dininni, Mr. Buckland clarified that the current Act 537 Plan has an approved Beneficial Reuse Water System passage in Ferguson Township to go along Slab Cabin Run; however, there are landowners who are not in favor of building said passage. Mr. Buckland stated that there is a proposal to take the Beneficial Reuse Water System out to Tussey Mountain.

d. Parks Capital Committee—Ms. Graef

As Ms. Graef was not able to attend, Mr. Miller provided the report. Mr. Miller stated that main topics of the meeting included an update of the Whitehall Road Regional Park, a request for the Ferguson Township Board of Supervisors to waive the escrow account for staff time regarding the Whitehall Road Regional Park, an update on Phase II of Millbrook Marsh, and a discussion of the definition of regional parks.

In response to a question from Ms. Dininni, Mr. Miller clarified that the Park Authority Board will request that the Board waive escrow fees for Whitehall Road Regional Park, and the subject will be an agenda item to discuss for a future meeting.

2. OTHER NON-COG REGIONAL COMMITTEES

a. Watershed Commission—Mr. Buckland

Mr. Buckland stated that there was not a meeting for the Watershed Commission. Mr. Buckland stated that in the near future, the commission will be discussing Phase II of the Watershed Plan for the Spring Creek Watershed.

3. STAFF REPORTS

a. Manager's Report

Mr. Pribulka to give an overview of the Township's contract with Constellation Energy. Mr. Pribulka stated that the Township utilizes approximately half a million kilowatt hours in electricity per year between 23 accounts, most of them being street lights and traffic signals. The accounts also include electricity for the Township building and all of the Public Works buildings. Mr. Pribulka explained that the Board could authorize additional green power offsets through the purchase of Green Energy RECs (Renewable Energy Credits). Constellation Energy primarily offers wind generated renewable energy credits.

In response to a question from Ms. Dininni regarding virtual net metering for solar power, Mr. Kunkle stated that he is not aware of any effort to ask the Pennsylvania Public Utilities Commission to allow virtual net metering for solar power.

Mr. Kunkle stated that included in the agenda packet are two meetings that the Board might be interested in: Centre County Association of Township Officials, which will be held on March 29, 2017 at 7:00 p.m. at the Patton Township Municipal building; and Public Accommodations and Fair Housing, which will be held on April 27, 2017 at 7:00 p.m. at the Central Pennsylvania Institute of Science and Technology in Pleasant Gap.

Mr. Kunkle announced that Matthew Patch, Chairman of the Zoning Hearing Board, submitted his resignation effective immediately. Mr. Kunkle also announced that Chief Conrad is retiring from the Ferguson Township Police Department effective June 30, 2017 after 13 years of service.

Mr. Kunkle stated that Township staff have attempted to effectively manage meeting times by placing a time limit on each of the agenda items; in addition, there is now a time clock that might help improve time management.

b. Public Works Director

Mr. Modricker stated that his report includes updates on several projects including the East Park Hills Traffic Calming Study. Since the last Board meeting, staff has met with an LTAP Engineer to review the results of the initial study, discussed traffic calming alternatives, conducted a field review, conducted a literature review, and staff will continue to evaluate options.

M and B Services LLC started work on March 6, 2017 for the West College Avenue Streetscape project.

The stone sill work for the administration building has been completed. Staff has finished interviews for three firms that submitted architectural and engineering proposals for the design of a new LEED Gold Certified Public Works Garage. Staff have also finalized a request for quotes for professional services to review and quantify MS4 project funding alternatives (a Stormwater fee feasibility study). The RFQ will be sent out to several consultants this week. Mr. Modricker explained that staff had a status update on March 8, 2017 with a representative of the sustainability institute on various student projects including the design of stormwater improvements in the Park Hills Drainageway, solar funding and collaboration, and solar powered traffic signals. The only project moving forward is the design of Stormwater improvements in the Park Hills Drainageway.

Mr. Modricker stated that the 2017-C2 Valley Vista/Bachman Ln Left Turn Lane and Science Park Rd Right Turn Lane has gone out to bid. There was also an open house in conjunction with Patton Township to show plan sets and the shared bike path that is being funded jointly between Patton and Ferguson Township. Mr. Modricker stated that the 2017-C7a Fuel project is out for bid and will be publicly opened on March 21, 2017.

In response to a question from Ms. Whitaker, Mr. Modricker stated that the project is out to bid and most of the work will be done when school is not in session (June, July, or August). In response to a few questions from Ms. Dininni, Mr. Modricker clarified that the trees on Valley Vista for the 2017-C2 project will have to come down to put in a shared bike path. Mr. Modricker stated that there is an initiative that has been discussed with the sustainability institute regarding the Centre Region and solar power. Ferguson Township has been looking into this initiative and other municipalities may piggyback onto the project.

c. Planning and Zoning Director

Mr. Stolinas stated that since the last Board of Supervisors meeting, the Planning Commission met on February 27 and March 13. The Planning Commission heard and reviewed the J.L. Cidery at J.L. Farms land development plan. The Planning Commission also received a draft version of the Sign and Billboard Ordinance and will provide comments at the March 27, 2017 meeting for staff to review and discuss during the meeting. Mr. Stolinas stated that the Planning Commission reviewed the latest draft of the Official Map and provided comments. Staff forwarded the draft Official Map to Centre County Office of Community Planning and Development, the Centre Region Planning Agency, and adjacent municipalities for the 45-day review and comment period.

Staff distributed the draft sourcewater protection ordinance to the Planning Commission at its March 13 meeting to discuss at its April 10 meeting.

Mr. Stolinas stated that as a result of the February 2, 2017 design workshop with Land Design between the Board of Supervisors and Planning Commission, Land Design came back to present an updated concept plan of Pine Hall on March 13, 2017. The Planning Commission unanimously recommended to the Board of Supervisors that a zoning ordinance text amendment be prepared by the applicant for the Board to consider and refer back to the Planning Commission. Mr. Stolinas also provided the monthly permit activity for the month of February 2017, along with the year-to-date comparison from 2016.

In response to a question from Ms. Dininni, Mr. Stolinas stated that billboards are allowed in the Commercial District on lots in which do not have a ground sign.

d. Chief of Police

Chief Conrad stated that for February 2017, there were 12 Part I crimes, which is the same number from February of 2016. There were 44 Part II crimes for February 2017 compared to 37 Part II crimes from February 2016. Other calls for services came in at 304 for February 2017 compared to 367 from February 2016. Traffic citations are up from this time last year at 72 versus 49. The Police Department has installed new tablets and computers in Police vehicles and soon the Police Department will have printers and readers in the vehicles so that police can do electronic citations, which will be the first in the area.

In response to a comment from Mr. Buckland, Chief Conrad stated that residents can park along Route 26 up to the no parking sign. Chief Conrad stated that she will follow up with the Board after looking at the no parking area.

V. OLD BUSINESS

1. AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, SECTION 15-201. RELATING TO MAXIMUM SPEED LIMITS TO DELETE THE MAXIMUM SPEED LIMIT ON BLUE COURSE DRIVE OF 50 MILES PER HOUR BETWEEN WEST COLLEGE AVENUE AND TEABERRY LANE AND TO ESTABLISH OR ADD A MAXIMUM SPEED LIMIT OF 45 MILES PER HOUR ON BLUE COURSE DRIVE BETWEEN WEST COLLEGE AVENUE AND TEABERRY LANE.
2. The Board authorized the ordinance amendment for advertisement for public hearing on February 6th, based on the results of a speed limit study performed by staff considering current traffic speeds, crash history, and geometric conditions of the street.

A motion was made by Ms. Whitaker and seconded by Ms. Dininni to adopt an ordinance amending Chapter 15, Motor Vehicles and Traffic by amending the posted speed limit on Blue Course Drive.

ROLL-CALL VOTE: Ms. Whitaker, yes; Mr. Buckland, yes; Mr. Miller, yes; Ms. Dininni, yes; Ms. Graef, yes

VI. NEW BUSINESS

1. CONSENT AGENDA

- a. Award of Contract 2017-C7c Asphalt and Aggregate Contract
- b. Award of Contract 2017-C16 Oak Wilt Treatment
- c. Guenot Subdivision—Time Extension Request
- d. Approval of February 2017 Voucher Report
- e. Payment Authorization—Contract 2016-C23 Admin. Building Stone Sill, \$44,650.00
- f. Treasurer's Report
- g.

A motion was made by Ms. Dininni and seconded by Ms. Graef to approve the items listed in the consent agenda. The motion passed unanimously.

2. A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING AN AMENDED LICENSE AGREEMENT BETWEEN STATE COLLEGE LIONS YOUTH FOOTBALL AND CHEERLEADING AND THE TOWNSHIP OF FERGUSON, STONEBRIDGE PROPERTY OWNERS ASSOCIATION, STATE COLLEGE AREA LITTLE LEAGUE, AND JOHNSON FARM ASSOCIATES

3. Mr. Kunkle stated that the State College Lions Youth Football and Cheerleading organization would like to utilize the parking facilities located adjacent to the State College Little League fields. The area in question is open space and is controlled by the other four parties, so an amendment to the agreement is needed in order to allow the organization to use the area. All parties have agreed to the utilization of the Stonebridge Little League Fields parking area by the aforementioned organization between July 15 and November 15.

A motion was made by Ms. Whitaker and seconded by Ms. Graef to approve the resolution amending the Stonebridge License Agreement providing for the use of parking facilities at the Stonebridge Little League Fields.

ROLL-CALL VOTE: Ms. Whitaker, yes; Mr. Buckland, yes; Mr. Miller, yes; Ms. Dininni, yes; Ms. Graef, yes

4. A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NITTANY MOUNTAIN BIKING ASSOCIATION AND THE TOWNSHIP OF FERGUSON

On February 6, 2017, the Board of Supervisors received a request presented by Neil Millar on behalf of the Nittany Mountain Biking Association (NMBA) to consider entering into a Memorandum of Understanding (MOU) to allow the NMBA to utilize an existing old logging road on property of the Township. This existing logging road connects with similar old logging roads on Rothrock State Forest.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to approve the resolution authorizing the Chair and Secretary to execute a Memorandum of Understanding between the Township and the Nittany Mountain Biking Association.

ROLL-CALL VOTE: Ms. Whitaker, yes; Mr. Buckland, yes; Mr. Miller, yes; Ms. Dininni, yes; Ms. Graef, yes

5. MILLBROOK MARSH NATURE CENTER—PHASE II UPDATE—PRESENTED BY JEN SHUEY, MMNC ADVISORY COMMITTEE CHAIR

Millbrook Marsh Nature Center is proposing a Phase II expansion which includes a four-season classroom, which would accommodate 100-120 people; additional restrooms including a family restroom; and two small classrooms on the lower level—one for the Puddle Jumpers program (and other activities) and one for a classroom or meeting space.

Ms. Shuey stated that the center is submitting a DCNR Community Conservation Partnership Program Grant Application on April 12, 2017. The center will be requesting a \$350,000 grant, and DCNR grants require a 50/50 match in funds. The numbers are still being refined, but the total cost of the project will be around \$2 million. Affinity Connections has been working with Millbrook Marsh Nature Center to help them with fundraising efforts. The center is also working with the community to fundraise for operating budgets.

In response to a question from Ms. Dininni, Ms. Shuey explained that the Recreation Authority would be submitting the grant application to DCNR. Ms. Dininni asked Ms. Shuey to consider expanding the conversation about contributions to Phase II to Penn State University since it owns the land that the Millbrook Marsh Nature Center is located on. Ms. Shuey responded that she is aware that the Clearwater Conservancy is working to make the conservation easement for that property permanent. Previously, the conservation easement was tied to the lease of the property. In response to a question from Mr. Buckland, Ms. Shuey explained that the first phase was energized through geo-thermal energy, and the second phase will move forward with solar energy. Ms. Shuey also stated that Millbrook Marsh Nature Center is hoping to obtain a LEED Silver Certified building from Phase II.

Mr. Buckland requested adding approval of a letter of support for the grant application to the April 3rd agenda.

6. ZONING VARIANCE/APPEALS HEARINGS

VARIANCES

State College Borough Water Authority, Property located at 3062 Ernest Lane – Multiple Variances

Mr. Stolas stated that Gwin, Dobson & Foreman, Inc. has submitted a request for ten variances

from the Township's zoning ordinance on behalf of the State College Borough Water Authority. The variances, if granted, would enable the Water Authority to construct an advanced water treatment facility in accordance with the attached site plan in the vicinity of the Nixon wellfield. Provided with the agenda is a copy of the variance application, site plan, and a memorandum from the Director of Planning & Zoning dated March 15, 2017. Staff recommendations to the Board are outlined in the memorandum.

Additionally, due to a conflict of interest of the Township Solicitor, the Board should appoint special counsel to represent the Board of Supervisors if any of the requested variances are opposed. Staff has been in contact with Attorney Betsy Dupuis of Babst Calland. Ms. Dupuis has indicated that she has no conflicts of interest in this matter and would be willing to serve as special counsel for the Board of Supervisors in front of the Zoning Hearing Board.

Mr. Stolinas reviewed each of the 10 variances as well as the recommendations to the Board outlined in the memorandum.

Since the Board had no concerns with the variances that staff has requested them to remain neutral on, the discussion centered around variance number 2 and 4 (27-204.1.P(9) Use Regulation and 27-301.2.A Rural Agricultural District).

In response to a question from Mr. Buckland, Mr. Stolinas explained that because the State College Borough Water Authority is proposing the water treatment building in the corner of the property, it has the least impact to the riparian buffer.

In response to a question from Mr. Miller regarding variance number 10, Mr. Stolinas clarified that the variance is requesting to waive a hydrologic and hydraulic study for the Flood Zone A. If done, the study would give more detail to the elevation of Flood Zone A, which would determine the accurate limit of the floodplain and associated riparian buffer. In response to a question from Ms. Dininni, Mr. Modricker stated that the cost for a floodplain analysis could take months and cost thousands of dollars.

In response to a question from Ms. Whitaker, Steve Jackson, Ferguson Township liaison to the State College Borough Water Authority, stated that the Kocher/Nixon project cost is about \$20 million. There is another project in College Township that involves upgrades to an existing water filtration plant that will cost an additional \$20 million. Mr. Jackson added that in talking with the State College Borough Water Authority consultant, there is concern about the timing of submitting a map revision to FEMA, and the proposed building was moved 200 ft. to get it out of the apparent floodplain. Mr. Jackson stated that if the Kocher/Nixon plan is significantly delayed, the Water Authority would consider moving the proposed development to the College Township location. In response to a question from Ms. Dininni, Mr. Jackson stated that this plan is for the Nixon wellfield.

A motion was made by Mr. Buckland and seconded by Ms. Graef to oppose variances numbered 2, 4, and 10 in the application for zoning variance and that the Board of Supervisors remain neutral on variances numbered 1, 3, 5, 6, 7, 8, and 9 in the application for zoning variances. The Board of Supervisors appoint Attorney Betsy Dupuis of Babst Calland to represent the Board of Supervisors in front of the Zoning Hearing Board at its March 28, 2017 hearing. The motion passed 3-2.

A motion was made by Ms. Dininni and seconded by Ms. Whitaker to amend the previous motion to remain neutral on all of the variances. The motion failed 2-3.

APPEALS

State College Borough Water Authority, Property located at 3062 Ernest Lane – Appeal Gwin, Dobson & Foreman, Inc. has submitted an appeal from the Township’s stormwater ordinance on behalf of the State College Borough Water Authority. The stormwater ordinance does provide for an appeal to the Zoning Hearing Board of the Township Engineer’s decision; however, no land development plan has been submitted to date and no determination has been made by the Township Engineer and, therefore, the provision is not ripe for an appeal.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to recommend to the Zoning Hearing Board that the request for appeal be continued until the applicant submits a Land Development Plan and the Township Engineer issues a determination regarding the drainage easement. The motion passed unanimously.

Mr. Miller called for a five-minute recess.

7. CONSIDER TEXT AMENDMENT TO CHAPTER 27 ZONING—TRADITIONAL TOWN DEVELOPMENT

Mr. Stolas stated that staff received the text amendment, which is included in the agenda packets. A letter from Dwight Ferguson, the Attorney for Turnberry, is also included in the agenda packet. Attorney Dwight Ferguson, representing the interests associated with the Turnberry Traditional Town Development, spoke against the ordinance amendment application.

In response from a few questions, Mr. Kunkle stated that the Board and the Planning Commission may see the text amendment and the land development plan at the same time. A text amendment was determined to be the appropriate avenue instead of modifications and/or variance requests. Mr. Buckland stated that even though he was glad to be a part of the Pine Hall discussion, it is of his opinion that some of the text amendments to the zoning ordinance that Pine Hall is requesting is not suitable.

Ms. Graef stated that she has enjoyed being a part of the Pine Hall discussion and appreciates the discussion and openness that the meetings have brought; however, it is of her opinion that the Pine Hall developer has not included the integration and diversity that was requested of the master plan.

A motion was made by Ms. Graef and seconded by Mr. Miller to refer the proposed text amendment to the Planning Commission for review and recommendation. The motion passed 4-1.

8. RESOLUTION ON COMMUNITY INCLUSIVENESS AND MUTUAL RESPECT

Mr. Buckland stated that the Board adopted a resolution on Equity and Inclusion at its Regular Meeting on December 5, 2016. On February 27th, the COG General Forum passed a motion to ask the Centre Region municipalities to consider adopting resolutions expressing support for equity and inclusion, and to provide copies of the resolutions to the COG Executive Director for distribution to the Executive Committee. The motion also called for the Executive Committee to consider drafting a resolution for the General Forum to consider at its March 27, 2017 meeting.

Ms. Whitaker stated that she has read through the other municipalities versions of the resolution, and she believes that compared to Ferguson Township’s current draft, the other municipalities use “softer” words. Specifically, using the word “oppose” instead of “disagree”. Ms. Whitaker suggested making this resolution a referendum on the ballot to allow the entire community to decide whether or not to implement this resolution.

Mr. Miller stated that as of now, local police do not ask residents about their immigration status. Chief Conrad clarified that while that statement is true, sometimes immigration status is necessary

to an investigation; for example, if the police were investigating a human trafficking crime, immigration status could be pertinent information to the investigation.

In regard to the police department asking about immigration status in the proposed resolution, Mr. Buckland suggested inserting the word “general” into that specific passage. Mr. Buckland stated that he believes the word “opposes” is integral to the resolution and should be included.

Ms. Dininni suggested the following word changes or additions: opposes to disagrees with, opposes to acknowledges, insert the word general before practices, and victims or witnesses to individuals. Ms. Graef stated that this issue, as a community, needs to be discussed—at the Board meetings, within the community, at COG meetings, etc. The discussions should put a face on who this resolution affects, and the Board should not soft-peddle it. Ms. Graef would like input from the Township Solicitor as to how far the Board can go with its opposition without being considered a sanctuary city. Ms. Graef stated that the words Ms. Dininni previously discussed should not be edited. Ms. Dininni asked the Board to consider using some of the resolution language that College Township used; for example, “College Township welcomes all people to College Township to live and visit free of discrimination”, and “requests that all residents, businesses, and visitors in the Township treat others with fairness and dignity”.

Mr. Miller stated that in terms of moving forward, he would ask the Township Solicitor and Chief Conrad to review the resolution ensure there are no issues with the wording. Ms. Graef invited the public to give their opinion on the resolution.

Mr. Kunkle asked the Board for clarification on the December 5, 2016 adopted resolution, and the consensus was that the proposed resolution would be in addition to the December 5, 2016 resolution.

A motion was made by Mr. Buckland and seconded by Ms. Dininni to direct staff to prepare a draft resolution for adoption at a future meeting. The motion passed 4-1.

9. DISCUSSION OF ORDINANCE AMENDMENT—CHAPTER 15, MOTOR VEHICLES AND TRAFFIC

Chief Conrad outlined several issues that have been observed regarding citing violators and enforcement of parking regulations. Issues with the current regulations have reduced the police department’s ability to effectively change behaviors of violators. Staff is suggesting that the Board consider amending the ordinance to allow for more effective use of towing and vehicular immobilization devices (boots).

Chief Conrad asked the Board to consider allowing staff to draft changes within the ordinance to allow the Police Department to boot cars after two violations instead of five violations, and to either remove the tow-away-zone clause altogether or include the problem streets in the tow-away-zone. Chief Conrad stated that as of now, the Township does not have a specific towing company to address the tow-away-zones, so the Board should make a recommendation for a local towing company.

In response to a question from Ms. Dininni regarding whether or not the amendments would apply only to areas with the specific signage and requirements or if it would apply to the whole Township, Chief Conrad stated that the amendment could go either way. She went on to explain that the Township rarely has to tow cars in places other than The Heights.

A motion was made by Mr. Buckland and seconded by Ms. Whitaker to direct staff to prepare an amendment to Chapter 15—Motor Vehicles and Traffic revising parking restrictions on certain streets in the Turnberry TTD in accordance with the Chief of Police memorandum dated March 13.

2017. The motion passed unanimously.

10. PRIVATE ROAD NAMING POLICY

Mr. Stolinas presented a draft copy of a Private Road Naming Policy prepared by the Director of Planning & Zoning. Staff is requesting that the Board review and provide comments on the draft policy. The final version of the policy will be presented to the Board at its next Regular Meeting for consideration and adoption.

Mr. Stolinas stated that the staff would rather not name a dedicated lane unless the address qualified under the current policy for addressing. In response to a question from Ms. Graef, Mr. Kunkle stated that the property that precipitated this policy would not get a private road name because there is only a single house. Mr. Kunkle stated that the main concern comes from emergency services who need to quickly find the address and cannot do so because the house is down a long lane and away from the road.

A motion was made by Ms. Dininni and seconded by Mr. Buckland to direct staff to prepare a resolution establishing a policy on Private Road Naming. The motion passed unanimously.

11. AMERICORP POSITION AT COG FOR REGIONAL SUSTAINABILITY ISSUES

The COG is currently proposing that the municipalities consider hiring an AmeriCorps member in 2018 to assist with regional sustainability issues in the Centre Region. The position, if approved, would be located in the Centre Regional Planning Agency (CRPA).

There was consensus from the Board to support the sustainability position in the CRPA.

12. APPOINTMENT TO THE ZONING HEARING BOARD

Mr. Matthew Patch submitted his resignation from the Zoning Hearing Board effective immediately. He was a member of the core board and resides in Ward 2. Currently there are three alternate members of the ZHB, Charles Farrell, Michael MacNeely, and Susan Buda. Mr. Farrell and Mr. MacNeely have served as alternates on the ZHB for several years.

Mr. Miller nominated Michael MacNeely to serve as a core member for the Zoning Hearing Board.
ROLL CALL VOTE: Ms. Whitaker, yes; Mr. Buckland, yes; Mr. Miller, yes; Ms. Dininni, yes; Ms. Graef, yes

12. REQUEST FROM COG GENERAL FORUM FOR A COMPOSITION OF A STEERING COMMITTEE FOR THE PARKS AND RECREATIONAL REGIONAL COMPREHENSIVE PLAN

Mr. Miller stated that the COG Executive Committee would like the composition of the steering committee to be no more than nine people and would have other committees advising it. Mr. Miller stated that he feels there should be a member on the committee for each municipality, and that COG staff or municipality staff should not take a position on the steering committee.

Ms. Dininni agreed that staff does not need to be on the committee, as well as having someone from each of the municipalities.

In response to a question from Ms. Dininni, Mr. Miller stated that Halfmoon Township is a user of the parks, and this could be a way to invite them into the Regional Parks and Rec program. Ms. Dininni suggested that the Halfmoon Township representative to the steering committee be a non-voting member.

Mr. Miller will bring the above ideas to the COG Executive Committee.

VII. COMMUNICATIONS TO THE BOARD

Ms. Dininni stated that she had several communications to the Board: a communication about the immigration inclusion resolution, an email about the Zoning Hearing Board appointment, a communication about climate change actions, a communication about the Township's proposed Traditional Town Development eco-village, a communication from the Park Authority regarding communications from the Ferguson Township Board or staff, and that the Ferguson Township representative to CNET has been elected as Board President of 2017.

VIII. CALENDAR ITEMS – MARCH/APRIL

Ms. Graef stated that there is a program on Wednesday, April 5, 2017, at Celebration Hall offered by Penn State University's Cooperative Extension. The program helps municipalities maximize the Extension's resources that are available. Ms. Dininni asked Ms. Graef to provide a report on the program afterwards

Mr. Buckland stated that on Saturday, April 8, 2017, at 9:00 a.m. to 11:30 a.m. there will be a free community workshop: The Homeowner's Guide to Stormwater at the Barn in Lemont.

IX. ADJOURNMENT

With no further business to come before the Board of Supervisors, Mr. Miller adjourned the regular meeting at 10:50 p.m.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 04/03/2017