

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, November 6, 2017
7:00 PM

I. ATTENDANCE

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

Board:	Steve Miller	Staff:	Dave Pribulka, Township Manager
	Peter Buckland		Dave Modricker, Public Works Director
	Laura Dininni		Ray Stolas, Director of Planning & Zoning
	Janet Whitaker		Chris Albright, Chief of Police
	Rita Graef		

Others in attendance included: Todd Giddings; Jim Steff, COG; Joe Viglione, COG; Faith Norris, Recording Secretary

II. CALL TO ORDER

Mr. Miller called the Monday, November 6, 2017, regular meeting to order at 7:02 p.m.

A moment of silence was held for the latest victims in both New York and Sutherland Springs, Texas.

Mr. Miller announced that the Board of Supervisors had an executive session prior to tonight's meeting on both personnel and legal matters.

Mr. Miller turned the meeting over to Mr. Buckland.

III. CITIZENS INPUT - NONE

IV. MINUTES

- a. October 16, 2017, Board of Supervisors Regular Meeting.
Ms. Graef made a motion to **approve** the October 16, 2017, regular meeting minutes. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Buckland noted that he was not at the last Board meeting.

V. OLD BUSINESS

- a. Continued Discussion - Draft Sourcewater Protection Ordinance

Mr. Pribulka introduced the ordinance and gave some background on the ordinance. Mr. Stolas discussed the added appendix on the Regulated Substance List, subsequent language and background supporting the update.

Mr. Miller stated a public hearing will be scheduled. The Board took public comment following the Board's discussion. Discussion followed on regulations on substances, selling/using of substances as it relates to quantity thresholds, blasting, reporting requirements, review by the public water supplier and process, regulated land use, the facility profile sheet, model criteria, wellhead recharge zones, and clarification between the stormwater management plan and sourcewater protection ordinance.

Mr. Miller made a motion to **add** "Upon request" in item 2 under Section 7 - Reporting Requirements. Ms. Dininni seconded the motion.

Discussion followed on a suggested timeline for the requests to be submitted.

Mr. Miller made a motion to add a 30-day requirement. Mr. Buckland seconded the motion. The motion to amend passed unanimously.

The motion to add "Upon request" to item 2 under Section 7 passed unanimously.

Discussion followed on timelines and requirements for other sections in the ordinance. It was clarified that when filing or reporting is required by an agency, filing/reporting should be done at the same time with Ferguson Township. A discussion followed on 90-day submission guidelines, zoning enforcement/compliance and fees. Mr. Stolinis clarified the separate severability and repealer clause will be added to the ordinance.

Dr. Giddings discussed a local study done on ground water and blasting diameters followed by his concern with a reference made in the ordinance on a 50' setback within the Township-wide Sourcewater Protection Overlay.

Discussion followed on language that is consistent with the stormwater ordinance and if a motion was going to be made per Dr. Giddings' recommendation.

Ms. Whitaker made a motion to delete the last sentence in item 12, Section 11. Ms. Graef seconded the motion.

Discussion followed on Section 11 language. Clarification was made that the language in the last sentence in item 12 refers to Zone 2.

Mr. Buckland called for a vote. Motion *failed* 1 to 4 with Mr. Miller, Mr. Buckland, Ms. Graef and Ms. Dininni dissenting.

VI. NEW BUSINESS

1. Consent Agenda

- a. 2017-C5 - Meadows Park Improvements / Change Orders 1&2, Pay Auth. 1: \$56,200.57
- b. 2017-C10 - Sealcoating Bikepaths/Parking Lots Pay Authorization: \$26,915.20
- c. 2017-C15 - Street Tree Pruning Bid: \$26,250.00
- d. Adopt-A-Road Agreement – Altrusa International of Centre County (Tadpole Road between Route 45 and West Gatesburg Road)
- e. Hunter's Chase – Phase 8 Surety Reduction #3 Release: (\$16,347.78)
- f. Hunter's Chase – Phase 10 Surety Reduction #5 Release: (\$15,052.54)
- g. Nomination Letter for Todd Giddings to serve on Upper Middle Susquehanna Regional Water Resources Committee

Mr. Buckland asked if any Consent Agenda items needed discussion. None were noted.

Mr. Miller moved that the Board of Supervisors **approve** the Consent Agenda. Ms. Whitaker seconded the motion. The motion passed unanimously.

2. Public Hearing Resolution on Use of Cell Phones While Operating a Township Vehicle

Mr. Pribulka introduced the resolution that would establish a new policy on cell phone use while operating a vehicle and repealing Section G of the Township's Cell Phone Policy.

Mr. Pribulka reviewed the policy and stated that a discount is provided by the Township's worker's compensation insurance carrier, PennPRIME Insurance Trust, in compliance with their established *Loss Control Standards*.

Mr. Buckland called for public comments. None were made.

Ms. Graef moved that the Board of Supervisors **adopt** the resolution establishing a new policy on Cell Phone Use While Driving and repealing Section G of the Township's Cell Phone Policy.

Roll Call vote on Resolution 2017-24: Mr. Buckland-YES; Ms. Dininni - YES; Ms. Graef – YES; Mr. Miller – YES; Ms. Whitaker - YES

3. 2018 COG Summary Budget Review

Mr. Pribulka introduced the COG Budget for review. A copy of the budget was provided to the Board members. He stated that Ferguson Township is the largest financial contributor and summarized the contributions. The 2018 Summary Budget can be found at <http://www.crcog.net>.

A presentation was made by Messrs. Steff and Viglione of the Centre Region Council of Governments. They reviewed the Program Plan, Detailed Budget and the Summary Budget.

Board members reviewed each section and commented on particular sections of the budget. Mr. Steff clarified that COG supports programs that are self-supporting. Following a discussion, Ms. Graef called point of order to move the meeting forward. Following more discussion on the budget, Mr. Pribulka summarized the comments and questions made and advised that the same will be compiled and sent to Mr. Steff at COG. Discussion followed on funding for bikepaths.

4. Zoning Appeals/Variations

- a. SBA Towers II and LLC and Cellco Partnership, 200 Jackson Trail
Mr. Stolas reviewed the application that was included in the agenda packet.

Ms. Whitaker moved that the Board of Supervisors **remain neutral** on the variance requested by SBA Towers II, LLC and Cellco Partnership. Ms. Graef seconded the motion. The motion passed unanimously.

No public comments were made. Clarification was made on location of Jackson Trail.

5. CBICC – Centre County's "Drive Forward" Campaign

Mr. Pribulka introduced the CBICC's new campaign initiative that was made possible through a INFRA grant (Infrastructure for Rebuilding America). The request was included in the agenda packet. An information sheet and maps were provided to each Board member. The two projects that have been identified are a new high-speed interchange between I-99 and I-80, as well as upgrades to the two-lane stretch of U.S. Route 322 from Potters Mills to State College, having significant implications for commerce, tourism, and new business investment in the County.

No public comment was made.

Ms. Whitaker made a motion that the Board of Supervisors **endorse** the "Drive Forward" Campaign of the Chamber of Business and Industry – Centre County. Mr. Miller seconded the motion.

Discussion followed on why the two different projects were chosen, including what the Board's position would be regarding support and/or endorsement. The Board determined that a position could not be reached without more detail on the promotional materials and the Campaign.

Mr. Buckland made a motion to **postpone** voting on the "Drive Forward" Campaign until there is more promotional materials to review. Ms. Dininni seconded the motion. The motion passed unanimously.

Discussion followed and clarification was made on what is needed to make an informed decision on endorsement. Mr. Pribulka stated that the Township has not been approached by CBICC for any financial commitment at this time.

6. Approval of Green Light-Go Grant Application

Mr. Modricker introduced the application and history of the grant match program that has been successfully in the past.

Ms. Dininni made a motion that the Board of Supervisors **support** a GLG round 4 grant submission for \$80,000 and if successful agree to match it with \$20,000 local Township funds for a project total of \$100,000 to continue upgrading our traffic signal detectors from loop sensors to digital radar. Ms. Graef seconded the motion. The motion passed unanimously.

A question was raised and clarification needs to be made on whether this specific item was included in the 2018 Operating Budget. The request would be for 2018.

VII. REPORTS

1. COG COMMITTEE REPORTS

- a. Parks & Recreation Comprehensive Plan Steering Committee. Ms. Dininni stated the committee will meet on November 7th. There is a guideline/starting point for topics for a consultant to address. Ms. Dininni asked for comments to add to the scope. The committee has discussed Sustainability as one of the topics to add. Another topic may be ecologically driven to identify parkland in addition to the land development plan.
- b. Executive Committee. No report. Agenda included in the packet.

VIII. OTHER REGIONAL COMMITTEES

- a. Spring Creek Watershed Commission. Mr. Buckland stated he had a conflict and did not attend last month's meeting. The Commission minutes have been requested.
- b. Public Services & Environmental Committee. Cancelled.
- c. Parks Capital Committee. Cancelled for November. Next meeting is scheduled for December 9th.

IX. STAFF REPORTS

- a. Township Manager. Mr. Pribulka reviewed the report. The 2018 Operating Budget was provided to the Board members; public worksessions are scheduled for November 15th and 16th at the Ferguson Township's Main Meeting Room with C-NET coverage; the Township is hosting a semi-annual Neighborhood Association Open Forum on November 8th for homeowners and condominium associations; new Engineering Technician started on October 23rd working with design/surveying on capital projects; and speed study update on Pine Grove Mountain.

- b. Planning and Zoning Director. Mr. Stolinas provided his report. Next Planning Commission Meeting is on November 13th. The Active Plan list includes two new subdivisions for review by the Planning Commission on November 13th. Review followed on the reported activities. The Planning and Zoning staff participated in the American Planning Association's PA Chapter Conference held on October 22-24 in State College. The keynote speaker discussed "Transforming Towns into Changemaker Communities."

A question was raised on the Township staff's time taken to do updates for the REDCAP report. Discussion followed and a question was raised if staff's time can be reimbursed. Mr. Stolinas clarified that the work Planning staff has done is on what has/has not been developed and planned status associated with the Township and that data is provided to CRPA staff. Land development plan expiration dates were discussed.

- c. Public Works Director. No written report was included with the agenda. Mr. Modricker gave an update on the Sycamore Drive capital project planned for next year; Mr. Modricker was nominated to serve as President for the Central PA Chapter for 2018 at the Central PA Membership Meeting of the American Public Works Association; next Tree Commission Meeting is on November 13th at 5:30 p.m.; notices were sent to Park Hills residents on the traffic calming study presentation scheduled for November 14th; update on The Landings Transportation Impact Study Status that was included in the agenda packet; and maintenance activity update on leaf collection that has received positive comments. Discussion followed on leaf collection and Science Park design issues.

X. COMMUNICATIONS TO THE BOARD - None

XI. CALENDAR ITEMS

- a. 2018 Operating Budget Worksessions – November 15th and 16th, Main Meeting Room, 6:00 p.m.
b. Election Day – November 7, 2017

XII. ADJOURMENT

With no further business to come before the Board of Supervisors Mr. Buckland made a motion to adjourn. The meeting adjourned at 10:00 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 11-20-17