

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, October 1, 2018
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, October 1, 2018, at the Ferguson Township Municipal Building. In attendance were:

Board:	Peter Buckland	Staff:	Dave Pribulka, Township Manager
	Steve Miller		Dave Modricker, Public Works Director
	Laura Dininni		Ray Stolinas, Director of Planning & Zoning
	Sara Carlson		Chris Albright, Chief of Police
	Tony Ricciardi		

Others in attendance included: Faith Norris, Recording Secretary; Brandi Robinson-Chair, Climate Action Committee; Denise Meyer-FT rep. to CRPRA; Colleen Barrett; Howard Fescemyer; Darlene Chivers; Marc McDill; Jake Johnson.

II. CALL TO ORDER

Mr. Buckland called the Monday, October 1, 2018, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT - None

IV. SPECIAL REPORTS

Mr. Buckland noted the University Area Joint Authority representative was not present for the report.

- a. Climate Action Committee Update. Ms. Robinson started her report with a statement from the township's 2017 Resolution "to achieve net zero greenhouse gas emissions no later than 2050". The report included initial results of the Greenhouse Gas Inventory that was conducted and the plan to move forward with the climate action planning. Noted were the future recommendations will be coming in the next couple of months, engage stakeholders, and focused areas of participation. Ms. Robinson thanked those involved with assisting with the data project.

Ms. Robinson responded to a Board member's question that data is available on other municipalities and Centre County as a whole. Mr. Modricker offered to forward contacts to Ms. Robinson for Columbia Natural Gas in reference to a request for Columbia Gas data not received as of yet from the gas company.

- b. Centre Region Parks & Recreation Authority (CRPRA) – Ms. Meyer gave an update on meetings to date. The Authority had recently voted to have C-NET coverage for its meetings which will be allotted in the 2019 budget; approved the firm Stahl Shaffer for WRRP for a plan and development process—details followed; Steering Committee update on the Park's Comprehensive Study, process and survey. The next CRPRA meeting will be on October 18th and the next joint meeting will be on October 11th.

V. APPROVAL OF MINUTES

Mr. Miller moved that the Board of Supervisors **approve** the September 17, 2018, Regular Meeting minutes and the September 11, 2018, joint worksession with the Tree Commission. Ms. Carlson noted she did not attend the joint worksession on September 11th.

Mr. Ricciardi seconded the motion. The motion passed unanimously

VI. UNFINISHED BUSINESS

a. DISCUSSION OF TREE PRESERVATION ORDINANCE

Mr. Modricker presented the item for discussion and reviewed the recent meetings. Noted were three Tree Commission members in attendance.

Ms. Dininni moved that the Board of Supervisors **request** the Ferguson Township Tree Commission prepare a Tree Preservation Ordinance. Ms. Carlson seconded the motion. The motion passed unanimously.

b. REFERRAL OF THE DRAFT ZONING ORDINANCE AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO THE FERGUSON TOWNSHIP TREE COMMISSION FOR REVIEW AND COMMENT

Mr. Pribulka introduced the item for discussion and reviewed the recent worksession. Public comments are being worked into the draft ordinance.

The discussion included low-impact design development on a natural environment; zoning that will address impacts; ordinances outside of zoning that are supplemental; definitions of open space by developers; definitions of parkland; facilities in certain locations; and utilizing incentives for tree preservation. Mr. Pribulka commented on a recent discussion that talked about discovery of possible invasive species in the latest draft of the SALDO that the Board may wish to have feedback on.

Mr. Fescemyer was recognized by the Chair and spoke on behalf of the FTTC and noted they had reviewed a minor component in section 27-807 on landscaping and asked for a priority from the Board for review. The Board noted Zoning and SALDO is a priority due to time limit and that staff can assist the Tree Commission members on narrowing down the specific areas for review.

Mr. Miller moved that the Board of Supervisors **refer** the draft Zoning and Subdivision and Land Development Ordinances to the Ferguson Township Tree Commission for review and comment. Ms. Dininni seconded the motion. The motion passed unanimously.

VII. NEW BUSINESS

a. CONSENT AGENDA

1. Treasurer's Report for August
2. Special Events Permit – Shuchert Orthodontics 5K
3. 2017-C17 contract for Silvi Field Parking Improvements, HRI: \$111,017.00
4. 2018-C28 contract for Winter Street Maintenance, H&R Excavating: \$9,620.00
5. Board of Supervisors Request – Funding Compostable Toilets at Whitehall Road Regional Park

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

b. A PUBLIC HEARING ON A RESOLUTION TO EXECUTE A REIMBURSEMENT AGREEMENT, #GLG-2017-14206-1344, WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR UPGRADING AND INSTALLATION OF EQUIPMENT REQUIRED TO PROVIDE VEHICLE DETECTION UPGRADE AT EXISTING SIGNALIZED INTERSECTIONS

Mr. Pribulka introduced the item and stated the Township was in receipt of a Green Light-Go Grant in the amount of \$80,000 with a \$20,000 match for a total of \$100,000. The intersections to be upgraded

with vehicle detection equipment include Blue Course Drive and Havershire Boulevard, Blue Course Drive and Westerly Parkway, and West College Avenue and Science Park Road.

Mr. Ricciardi moved that the Board of Supervisors **adopt** the resolution authorizing the Chairman to execute a reimbursement agreement with the Pennsylvania Department of Transportation for upgrading and installation of equipment required to provide vehicle detection upgrades at existing signalized intersections. Ms. Carlson seconded the motion.

Roll Call vote on Resolution 2018-23: Mr. Buckland – YES; Ms. Carlson – YES; Ms. Dininni – YES; Mr. Miller – YES; Mr. Ricciardi – YES. The motion passed unanimously.

c. **CONDITIONAL USE APPLICATION FOR A SKATEPARK ON PROPERTY AT 1316 WEST COLLEGE AVENUE IN THE TERRACED STREETScape DISTRICT**

Mr. Stolinis introduced the item and reviewed the application. More detail was provided on conditional uses within the zoning ordinance followed by a visual site presentation. Two representatives for the skatepark were recognized and spoke on the importance of developing a small skateboarding community and cultivating it for the future. Mr. Johnson noted it will be privately funded and stressed the importance of it being designed properly and regulated for the community.

Ms. Carlson moved that the Board of Supervisors **refer** the conditional use application for a skatepark on property located at 1316 West College Avenue in the Terraced Streetscape District to the Planning Commission for review and comment. Further, that the Board schedule a public hearing for November 5, 2018. Mr. Ricciardi seconded the motion.

Discussion followed on examples of prohibited, non-conforming and specific uses in the Terraced Streetscape District. Mr. Pribulka discussed in more detail the language of the ordinance and prohibited use including whether the Board can grant conditions for the prohibited use. Board discussion followed on the language and to add operating hours for the conditional use.

The motion passed unanimously.

d. **DISCUSSION OF UTILITY SCALE SOLAR ORDINANCE**

Mr. Buckland introduced the item. He stated, in Pennsylvania, a majority of the land used for solar farms will be built on agricultural land which Ferguson Township has an abundance of and farmers in the area can anticipate being approached by solar developing companies. The request is for the board to direct staff to find model ordinances, survey best practices for solar ordinances for utility-scale arrays (acreage to be defined) and to develop a solar ordinance in line with the Township's Community and Environmental Bill of Rights, current Strategic Plan's commitments to environmental stewardship and clean renewable energy, and Resolution 2017-14 to achieve net zero emissions in Ferguson Township.

Mr. Buckland moved that the Board of Supervisors **direct** staff to research utility-scale solar ordinances. Ms. Dininni seconded the motion.

Discussion followed on resources that were forwarded to staff that included model ordinances, National Renewable Energy Lab materials, and legislation for land use for pollinators and native landscaping. Suggestions moving forward included engaging with the agricultural community along with utilizing Ferguson's Climate Action Committee and COG's Sustainability Planner.

The motion passed unanimously.

e. DISCUSSION-ROOFTOP SOLAR PHOTOVOLTAICS AT WHITEHALL ROAD REGIONAL PARK

Mr. Buckland introduced the item and reviewed the cost that aligns with the township's Strategic Plan and legislative initiatives.

Mr. Buckland moved that the Board of Supervisors **appropriate** \$45,000 to fund the installation of a solar array at Whitehall Road Regional Park. Mr. Miller seconded the motion.

A question was asked about how much of the Park's energy the array would provide? Discussion followed on the proposed array (17.42 kWh) that would cover the building but not the heat or lighting for fields and parking. The funding will be taken out of the Regional Parks Capital account. Discussion followed on reviewing fund allocation during budget time; how the topic of Solar Photovoltaics came about following a previous discussion on the community kitchen; and the budget review process.

The motion passed unanimously.

Discussion followed on a related topic from a previous meeting that postponed action on funding for the community kitchen until further information was provided. Mr. Miller stated the information received at this point does not provide for the type of services that he had in mind for the community kitchen when making the motion in a previous meeting.

Mr. Miller moved that the Board of Supervisors **postpone** the amended motion for the Community Kitchen indefinitely and not have staff do any work on it at this point. Ms. Dininni seconded the motion.

Discussion followed on sports field use and programming for the park. A suggestion of other opportunities and partnerships were discussed.

The motion passed unanimously.

f. AUTHORIZATION TO RENEW AGREEMENT WITH BAKER TILLY VIRCHOW KRAUSE, LLP FOR AUDITING SERVICES RELATED TO THE PREPARATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT; DCED REPORTING; INDUSTRIAL AND COMMERCIAL DEVELOPMENT AUTHORITY; AND THE TOM TUDEK MEMORIAL PARK TRUST FORM 990

Mr. Pribulka introduced the item and reviewed the agreement. A letter was included with the agenda that described the fees through the year 2020.

Ms. Dininni moved that the Board of Supervisors **authorize** the Township Manager to execute an agreement with Baker Tilly Virchow Kraus for auditing services. Ms. Carlson seconded the motion. The motion passed unanimously.

g. SCHEDULING OF 2019 OPERATING BUDGET WORKSESSIONS

Mr. Pribulka requested the Board's availability for budget worksessions and reviewed the deadlines and process. Draft budgets will be received by the Board on November 5th. Department head staff requests are due to the Manager by October 12th. Following discussion, the two scheduled dates for the budget worksessions will be Tuesday, November 13th and Thursday, November 15th, starting at 6:00 p.m. and will conclude around 9:00 p.m. The sessions will be broadcasted on C-NET and the Public Hearings for adoption are scheduled for December 3rd and 10th.

VIII. STAFF AND COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

1. TLU-CRPC Joint Committee. The committee met today at noon. Mr. Miller's highlights included a discussion of Halfmoon Township's DRI (Development of Regional Impact) request to expand the growth boundary in the sewer service area-details followed on small area plan; update on comprehensive plan implementation program and list of current projects.

Mr. Miller stated that Halfmoon Township is served by the state police in response to a Board member's question. Another question was raised on whether there will be a contract with Patton Township and future plans. Mr. Miller noted that question was raised and it will be part of the DRI plan.

b. OTHER REGIONAL COMMITTEES

1. CCMPO Coordinating Committee. Mr. Ricciardi's first meeting with CCMPO included discussion on the long range transportation plan – 2015 LTRP-example of groups to provide input to the plan-details followed; the TIF has taken affect for 2019-2022-amendment updates done due to receipt of PennDOT funding.

c. STAFF REPORTS

1. Township Manager. Healthcare renewal rates received from PMHIC for 2019 for a 0.2% premium increase over 2018 rates which is one of the lowest increases in years; vacancies were announced for the Township's Authorities, Boards and Commissions and will accept applications through November 1st; staff will participate in the United Way Day of Caring on October 4th at two Strawberry Fields locations; CBICC update; Centre County Conservation District – Columbia Gas has received the MPDS general permit for stormwater discharges associated with installing gas lines to Park Hills neighborhood.
2. Planning and Zoning Director. Mr. Stolinas stated the September 24th meeting was cancelled and the next meeting is scheduled for October 8th. Updates included Zoning and SALDO; EPD updated on Tree Commission comments from landscaping and plant list sections – drafts are forthcoming. Upcoming Meetings: Tuesday, October 9th a joint worksession scheduled with the Sourcewater Ad Hoc and the Board of Supervisors from 6:00 – 9:00 p.m. at the Township Building-agenda/attachments are posted; Pine Hall General Master Plan submission meeting on October 2nd with Mr. Anderson – details followed; Pine Grove Mills SAP meeting needs pushed to October 10th at St. Paul Lutheran Church, 6:00 p.m.; no new updates for TTD and validity challenge. The Active Plan list was included in the agenda packet.
3. Public Works Director. A public meeting will be held on Wednesday, October 3rd at 7:00 p.m., Radio Park Elementary School to identify improvements for walking/hiking/driving/transit use in and around Northland Center area-online survey is available to provide comments; next Tree Commission Meeting is October 15th, 6:00 p.m. with a Public Hearing for Tree Removal at 6:30 p.m., action item to discuss tree planting plan for Thistlewood; item 8 - Corl St. signal upgrades update-upcharge change order about \$6,500 to allow for decorated light poles to be installed-details followed; approved contract for Silvi Baseball Complex improvements will start this Fall.

IX. COMMUNICATIONS TO THE BOARD

Mr. Miller had three communications on the petition for the plastic bags ordinance: one in favor, one opposed, and one requesting more information. Mr. Buckland had communications that opposed the plastic bags impact fee and requested information about the structuring.

Mr. Buckland had input on the sourcewater protection overlay district that the contact was encouraged to follow-up on the process. Input was received on the stormwater impact fee.

X. **CALENDAR ITEMS – OCTOBER**

- a. Coffee and Conversation, October 20, 2018, 8:00 – 9:30 a.m., Dunkin Donuts, N. Atherton St.
- b. ABC e-invites went out for the appreciation dinner on October 18th
- c. Pine Grove Mills Harvest Fest, Saturday, October 6th, 10:00 a.m. – 2:00 p.m.; petting zoo

XI. **ADJOURNMENT**

Mr. Buckland called for adjournment. With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 8:30 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 10-15-2018