

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, September 16, 2019  
7:00 PM

### I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, September 16, 2019, at the Ferguson Township Municipal Building. In attendance were:

**Board:** Steve Miller  
Richard Killian  
Laura Dininni  
Ford Stryker  
Lisa Strickland

**Staff:** Dave Pribulka, Township Manager  
Dave Modricker, Public Works Director  
Centrice Martin, Assistant to the Manager  
Kristina Aneckstein, Community Planner  
Chris Albright, Chief of Police

*Others in attendance included:* Faith Norris, Recording Secretary; Ken Beldin - GD&F; Scott Brown – NTM; A. Brewer; Brian Heiser-SCBWA; Brian Hoffheins – Stonebridge Property Owners Association; Charles Driscoll – Mercedes-Benz.

### II. CALL TO ORDER

Mr. Miller called the Monday, September 16, 2019, regular meeting to order at 7:00 p.m.

### III. CITIZEN'S INPUT

None. Referenced under Unfinished Business.\*

### IV. APPROVAL OF MINUTES

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of September 3, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

### V. UNFINISHED BUSINESS

#### 1. PUBLIC HEARING ORDINANCE AMENDING CODE OF ORDINANCES RELATING TO MAXIMUM SPEED LIMITS ON STONEBRIDGE DRIVE BETWEEN WHITEHALL ROAD AND BRISTOL AVENUE

Mr. Pribulka reviewed the ordinance for public hearing that was authorized at the Board's Regular Meeting on August 19<sup>th</sup>. This was a result of a speed study conducted at the request of the Stonebridge Property Owners Association on Stonebridge Drive.

Public comment followed. Mr. Hoffheins thanked the Board and Township for their support and efforts in this process. He noted the concern on behalf of the neighborhood and spoke in favor of passing the ordinance at this public hearing.

Ms. Strickland moved that the Board of Supervisors **adopt** the ordinance amending Chapter 15, Section 201 by deleting the maximum speed limit of 35 miles per hour on Stonebridge Drive between Whitehall Road and Bristol Avenue and adding a maximum speed limit of 30 miles per hour on Stonebridge Drive between Whitehall Road and Bristol Avenue. Ms. Dininni seconded the motion.

Roll Call vote on Ordinance #1047: Mr. Stryker - YES; Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES; Ms. Strickland – YES.

\*Mr. Miller asked if there was any public input on items not on the agenda. None were noted.

2. REPLOT PARCELS OWNED BY THE STATE COLLEGE BOROUGH WATER AUTHORITY AND GARY E. AND CAROL J. MYERS – DATED JUNE 26, 2019 AND REVISED AUGUST 12, 2019

Mr. Pribulka reviewed the parcels that were provided with the agenda that showed the Preliminary/Final Replot of Lands owned by the State College Borough Water Authority and Gary E. and Carol J. Myers. A memorandum was provided by the Community Planner that summarized the remaining administrative conditions of approval of the plan. The proposed replot would add an additional 2.974 acres to the State College Borough Water Authority parcel (3062 Ernest Lane) taken from the adjoining parcel owned by the Myers (3061 Ernest Lane). The Planning Commission recommended conditional approval of the plan on September 9<sup>th</sup>.

Ms. Dininni moved that the Board of Supervisors **approve** the replot of lands owned by the State College Borough Water Authority and Gary E. and Carol J. Myers, as described in the plan dated June 26, 2019, and last revised August 12, 2019, subject to the conditions described in the Community Planner memorandum dated September 16, 2019. Mr. Killian seconded the motion. The motion passed unanimously.

3. STATE COLLEGE BOROUGH WATER AUTHORITY (SCBWA) NIXON/KOCHER WATER TREATMENT FACILITY LAND DEVELOPMENT PLAN – DATED AUGUST 30, 2019

Mr. Pribulka provided a map overview. The Community Planner provided a memo that summarized the remaining conditions associated with the Land Development Plan under the ownership of the State College Borough Water Authority. The conditions were administrative in nature. Representatives for the applicant were in attendance, Messrs. Beldin and Heiser. A link was provided to view the full plan. The Planning Commission recommended approval on September 9<sup>th</sup>.

Ms. Dininni moved that the Board of Supervisors **approve** the State College Borough Water Authority Nixon/Kocher Water Treatment Facility dated August 30, 2019, subject to the conditions outlined in the Community Planner memorandum dated September 16, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

4. AUTHORIZATION OF NTM ENGINEERING ANALYSIS PREPARATION TO SUBMIT A CONDITIONAL LETTER OF MAP REVISION (CLOMR) AND FINAL LETTER OF MAP REVISION (LOMR) TO FEMA FOR PARK HILLS DRAINAGEWAY

Mr. Modricker reviewed the item that is a request for additional funding as part of the Park Hills Drainageway study. This is in an effort to reduce construction costs. He discussed water elevation and design; more engineered analysis through a software program for this purpose that is titled Hydraulic Engineering Centre and River Analysis Systems (HEC-RAS) through the Army Corps of Engineers; the CLOMR and LOMAR process; and associated fee.

A question was asked about workflow and if it would change the current design strategy. Mr. Brown clarified that it would not but went into more detail on what will change by not doing a map amendment to FEMA. Mr. Brown noted due to the delay in construction a couple of years ago, there is a window of opportunity now to do the study and have the flood maps modified to reflect the actual condition and establish flood levels vs. the current approximate floodplain for the drainageway. This is a benefit for the homeowners and the overall construction of the project. The goal is to keep the floodplain as much as possible in the conservation area.

Mr. Pribulka noted if the Board elects to proceed, there would be a public information session for public comment and discussion.

Mr. Stryker moved that the Board of Supervisors **authorize** NTM Engineering to submit a Conditional Letter of Map Revision and Final Letter of Map Revision to FEMA for the Park Hills Drainageway at a cost not to exceed \$57,000. Ms. Dininni seconded the motion. The motion passed unanimously.

## V. NEW BUSINESS

### 1. CONSENT AGENDA

- a. Contract 2017-C1 Pay App 4, Kansa Avenue: \$ 1,000.00
- b. Contract 2019-C1 Pay App 3, Street Improvement: \$ 563.35
- c. Contract 2019-C1 Pay App 4, Street Improvement: \$ 13,721.89
- d. Contract 2019-C8, Pay App Final, Pavement Markings: \$ 5,469.67
- e. Contract 2019-C9 Pay App 1, Microsurfacing: \$ 451,540.75
- f. Contract 2019-C9 Pay App 2, Microsurfacing: \$ 23,765.30
- g. Special Events Permit – Schuchert Orthodontics 5K
- h. Board Member Request – DCNR Letter of Inquiry

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

### 2. ZONING APPEALS/REQUESTS FOR VARIANCES

#### a. 127 LEISURE LANE – MERCEDES-BENZ OF STATE COLLEGE

Mr. Pribulka reviewed the variance application that was provided with the agenda. The variance requested additional building area of 482 square feet to display new electric vehicles. The relief being requested is from the requirement to submit a land development plan (LDP) for the new addition. Mr. Driscoll was in attendance.

Mr. Stryker moved that the Board of Supervisors **remain neutral** on the request for variance for 127 Leisure Lane. Ms. Strickland seconded the motion.

Discussion followed on relevance of displaying electric vehicles. Mr. Pribulka noted no relevance to display only that under the current ordinance regulations the additional building area would necessitate the requirement of an LDP.

The motion passed unanimously.

### 3. CERTIFICATION OF 2020 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE POLICE PENSION FUND AND THE NON-UNIFORMED PENSION FUND

A memo was provided with the agenda detailing the anticipated MMO for both pension plans for fiscal year 2020. Mr. Pribulka reviewed PA Act 205 that requires the Chief Administrative Officer for the plans to provide the governing body with the MMO for the upcoming year. The certification must be provided by September 30<sup>th</sup> of each year but the actual MMO (State Aid Unit Value) is not determined until after September 30<sup>th</sup>. This item is for information only and no action was required by the Board. Mr. Pribulka clarified amounts and that this item will be reviewed at budget time when the actual unit value is determined. Discussion followed on variables that are used to determine the pension obligation.

#### **4. ESTABLISHMENT OF APPLICATION PERIOD FOR 2020 VACANCIES ON AUTHORITIES, BOARDS, AND COMMISSIONS**

Mr. Pribulka reviewed the application process for the upcoming vacancies and incumbents as provided with the agenda. The Board was asked to open an application period for interested volunteers so that applications may be collected in advance of scheduling interviews. Mr. Miller reviewed the policy on ABC Appointments that was established a few years ago.

Ms. Dininni moved that the Board of Supervisors **authorize** the Township Manager to open an application period from October 1, 2019 through November 1, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

### **VI. STAFF AND COMMITTEE REPORTS**

#### **1. COG COMMITTEE REPORTS**

- a. Public Services & Environmental Committee – The agenda was included with the Board's agenda. Mr. Stryker noted a discussion that was held on a request from UAJA on the Act 537 Plan and the flow into the pump station. Details followed on Slab Cabin Run; area outside the growth boundary; and comments from an environmental and water quality standpoint.

Ms. Dininni inquired about whether the costs to upgrade the Scott Road Pump Station would be incurred by only residents of Pine Grove Mills or the entire rate base. Mr. Stryker responded that these details were not made available yet.

- b. Transportation & Land Use Committee. Ms. Strickland noted details from a CATA presentation that focused on the business of synchronizing community mobility. Reviewed preliminary projects for the Comp Plan update program for 2021-2022 CHIP. Other items included parking management; inventory of commercial zoning; affordable housing in accessory dwellings; and community engagement model ordinance – suggestion to make it a tool box more than an ordinance.
- c. Finance Committee. Mr. Killian reported the committee accepted the annual audit from COG's certified independent auditor. It was a positive and clean audit. The suggestion to review the Parks scholarships for residents program was well received.

Discussion followed on the addendum to the Finance agenda on the irrigation system and whether it will use the existing budget. Mr. Killian noted there will be further discussion during the budget process. Discussion followed on a more strategic approach to overall spending in the COG budget.

#### **2. OTHER REGIONAL REPORTS**

None.

#### **3. STAFF REPORTS**

- a. Township Manager. Mr. Pribulka touched on some items from the report provided. Details were discussed from attending the closing of an agricultural conservation easement for the Wheland farm; met with CPRA on the buffer planting-details followed on representatives who attended on behalf of each agency, the variance that was denied and options for the submitted Land Development Plan; Jenna Wargo started with the Township today as Director of Planning & Zoning and will begin attending Board meetings effective October 7<sup>th</sup>; and well wishes for

Communications Coordinator Diana Griffith who has accepted a position with Centre County as Conservation Easement Coordinator and Senior Planner.

Noteworthy items not on the report followed. Launched of the new website as of today that is still transitioning from the old site-website questions can be directed to Centrice Martin. Discussion on internship position that has been budgeted for community engagement initiatives in 2020. Details followed on overall goals of the program that would serve certain project needs and department roles and a suggestion to bring an intern onboard in 2019 to assist with program development, design and a more strategic approach for objectives of the program. The consensus of the Board was that the internship program is a good idea.

Update on Land Develop Plan proposals by Ms. Aneckstein. SCBWA; WRRP - possible future resubmittal of plan; Harner Farm/Sheetz - waiting on traffic impact study. New plans: Watkins Subdivision; Tadpole Road Harpster property replot; and PennTerra submission for HFL-West Cherry Lane.

Ms. Dininni inquired about the landscape buffer proposed at Whitehall Road Regional Park.

Ms. Strickland inquired about the Communications Coordinator position and whether the job description could be revised to include a community engagement focus.

- b. Public Works Director. Mr. Modricker stated what was provided in his report. Staff will be working on budget projections/operating budget; multi-modal transportation grant and county liquid fuel grant application-examples of candidate projects were provided; Small Area Plan meeting is set for tomorrow; preconstruction meeting scheduled soon for renovations to Ferguson administration building; 6<sup>th</sup> Stormwater Advisory Committee Meeting was held earlier this month and the final planned meeting is scheduled for October 23<sup>rd</sup> followed by a final report to the Board-will continue outreach and education. The topics covered at the evening's Tree Commission meeting were discussed.

Ms. Dininni noted her thanks on the notification and education of the chainsaw training on trees for removal at Fairbrook Park. Mr. Modricker noted the certified trainer was Don Coffey that the Township has used before for training and tree inventory.

Ms. Strickland had a discussion on Ridge Overlay per her notes submitted for discussion at the upcoming Zoning workshop set for September 25<sup>th</sup> on preserving and maintaining trees.

- c. Chief of Police. Chief Albright reported on the month of August and year-to-date. Part 1 Crimes are up; Part 2 less series Crimes are down; and overall Calls for Service are about the same compared to last year. Notable incidents and accidents were reported. Details were discussed on an ongoing drug task force investigation. Community relations update as provided with the agenda.

Mr. Stryker had a discussion on the crime status. Chief Albright noted details on statistics. Overall, crime is stable.

## **VII. COMMUNICATIONS TO THE BOARD – None**

- a. General Forum Meeting is cancelled for next week.

**VIII. CALENDAR ITEMS – SEPTEMBER/OCTOBER**

- a. Coffee and Conversation, Saturday, October 12<sup>th</sup>, hosted by Ferguson Township at Tom Tudek Memorial Park, 8:00 a.m. – 9:30 a.m.
- b. Trick or Treat Night in Ferguson Township, Thursday, October 31<sup>st</sup>, 6:00 p.m. – 8:00 p.m.

**IX. ADJOURNMENT**

Mr. Miller called for adjournment. With no further business to come before the before the Board of Supervisors, Mr. Killian motioned to adjourn the meeting. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Pribulka', with a stylized flourish at the end.

David Pribulka, Township Manager  
For the Board of Supervisors

Date approved by the Board: 10-07-2019