

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, October 7, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, October 7, 2019, at the Ferguson Township Municipal Building. In attendance were:

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

Staff: Dave Pribulka, Township Manager
Centrice Martin, Assistant to the Manager
Dave Modricker, Public Works Director
Jenna Wargo, Director of Planning & Zoning
Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; John Spsychalski, CATA; Vern Squier, CBICC; John Sepp; David Stone, NVEC; Jennifer Myers, CBICC; Jeremie Thompson.

II. CALL TO ORDER

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

Mr. Miller stated that executive sessions were held on September 24th and 25th on litigation matters.

III. CITIZENS INPUT

Mr. Stone spoke on behalf of the Nittany Valley Environmental Coalition regarding litigation matters pertaining to the Pine Hall Master Plan. Details followed on related concerns and the ordinance.

IV. SPECIAL REPORTS

a. Center Area Transportation Authority

Mr. Spsychalski reported that full service went into effect on August 24th and is going relatively smoothly. The frequency of service impact to Ferguson Township for the K Route was discussed for the one-year pilot program. Ridership is up compared to last year. Upcoming meetings were announced: Annual Community Input Meeting will be held Wednesday, October 30th at Schlow Library for CATA Bus Community Service; CATA Ride Service route meeting will be held on Monday, November 4th at 5:00 p.m. at State College Borough Building. This year's CATArt Poster Contest theme is "Post Cards from CATA" and submissions are due by October 31st. The mobile app is available for passes and the mobile ticket validators are active on all CATA fixed-route vehicles.

Mr. Pribulka inquired about feedback on Penn State football shuttles for parking. Mr. Spsychalski had no feedback to report.

b. Centre County Economic Development Partnership

Mr. Squier discussed the incorporated partnership between public and private entities for Happy Valley Ag Ventures that is a consortium effort that will begin in 2020. Discussion followed on engaging AgriTourism.

Ms. Dininni noted appreciation for the initiative. She noted concerns on past discussions on economic development partnerships and asked for clarification on relationship of entities and

endeavor. Mr. Squier discussed recruitment, retention and growth of companies along with agritourism and entrepreneurial behavior. It was clarified that CBICC is staffed, whereas CCEDP is not. Discussion followed on the emphasis of marketing and investment. Mr. Pribulka clarified the mechanics of the partnership and established mission. The agreement process, designated funds, history and previous funding conditions were discussed. The CCEDP's evaluative approach to economic development retention and expansion projects was what the Board reviewed recently and informally endorsed. This sets the framework for future requests such as the one for approval at this meeting. Discussion followed on the concern for sustainability focus and other considerations as noted. The approval would be for unrestricted funds invested locally. Discussion followed on comingling concerns at a future summit meeting; workforce preparedness initiatives; and core skills. Mr. Pribulka noted a meeting notice will go out closer to the meeting date for early next year. Mr. Squire expressed the importance for growth in agriculture within Centre County.

Ms. Dininni moved that the Board of Supervisors **authorize** the appropriation of \$25,000 of the Chamber of Business and Industry of Centre County for the Centre County Economic Development Partnership. Mr. Killian seconded the motion. The motion passed unanimously.

V. APPROVAL OF MINUTES.

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of September 16, 2019. Mr. Killian seconded the motion. The motion passed unanimously.

VI. UNFINISHED BUSINESS

1. REVIEW OF DRAFT ZONING AND SUBDIVISION & LAND DEVELOPMENT ORDINANCE AMENDMENTS

Mr. Pribulka reviewed the history of the Zoning and SALDO ordinance amendments. Mr. Stryker asked for clarification of changes. Discussion followed on amendments and consistencies made. Ms. Dininni noted appreciation of everyone's time on the documents. Ms. Dininni expressed that she is interested in continuing discussion on ways to make the code more "green." Discussion followed on viewing of the finalized document and advertisements. The Board discussed the process to amend the Terraced Streetscape District.

No action was taken on this item.

VII. NEW BUSINESS

1. CONSENT AGENDA

- a. Acceptance of Treasure's Report for July
- b. Voucher Report for August
- c. 2019-C10 Pay Application - Microsurfacing: \$20,674.00
- d. Sponsorship Request – Purple Lizard Scotia Map, Clearwater Conservancy

Mr. Killian moved that the Board of Supervisors **approve** the Consent Agenda and accept the Treasurer's Report. Ms. Strickland seconded the motion.

Mr. Modricker noted Item C is for Sealcoating and not Microsurfacing. The amount is correct.

The donation amount was clarified for the Scotia Map at \$500.00 in response to Mr. Stryker's inquiry.

The motion passed unanimously.

2. SUBDIVISION AND REPLOT OF TAX PARCELS 24-4-67 AND 24-4-67C – REQUEST FOR WAIVER

Ms. Wargo reviewed the application.

Mr. Stryker moved that the Board of Supervisors **grant** the waiver of Chapter 22, Subdivision and Land Development, Section 303, Review of the Preliminary Plan for the subdivision and replot plan for tax parcels 24-4-67 and 24-4-67C. Mr. Killian seconded the motion.

Clarification was made that public input would be done at one time for both parcels. Ms. Dininni noted her opposition. Discussion followed on planned approval.

Mr. Sepp discussed the 3 separate plans and waiver request to remove the process for the subdivision. The residential subdivision will be done in one phase and not multiply phased out. Ms. Strickland noted maps showing the plans would be helpful. It was clarified that the traffic impact study would be reviewed by the Board at the same time as the development plan.

The motion passed 3 to 2 with Ms. Dininni and Ms. Strickland dissenting.

Mr. Miller called for a 5 minute recess.

3. FINAL PLANNED RESIDENTIAL DEVELOPMENT PLAN AMENDMENT – THE YARDS AT OLD STATE

Mr. Pribulka presented a brief summary as provided with the agenda. Mr. Sepp did a presentation on requested amendments. Open space area was reviewed. Discussion on minor changes in response to a Board member's question. Further discussion followed on lighting and other minor changes.

Mr. Killian moved that the Board of Supervisors **approve** the amendment to The Cottages at State College Planned Residential Development Final Plan. Mr. Stryker seconded. The motion passed 4 to 1 with Ms. Dininni dissenting.

4. AUTHORIZATION FOR PENNDOT MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION FOR STREETScape IMPROVEMENT IN PINE GROVE MILLS

Mr. Modricker introduced the item and the proposed scope of work for the grant application.

Ms. Dininni moved that the Board of Supervisors **authorize** the submittal of a PennDOT Multimodal Transportation Improvement Fund grant application for streetscape improvement in Pine Grove Mills. Ms. Strickland seconded the motion.

Discussion followed on the proposed sidewalk on Water Street and the lighting proposed.

The motion passed unanimously.

5. DRAFT PERSONNEL POLICY AMENDMENT – DRUG FREE WORKPLACE POLICY

Mr. Pribulka reviewed the draft policy that has been reviewed by the Township's Human Resource attorney.

Mr. Stryker moved that the Board of Supervisors **authorize** a resolution for public hearing amending the Personnel Policy Manual amending the Drug Free Workplace Policy. Ms. Dininni seconded the motion. The motion passed unanimously.

6. BOARD MEMBER REQUEST – LETTER OF INQUIRY TO THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Ms. Dininni reviewed the request for inquiry.

Mr. Stryker moved that the Board of Supervisors **authorize** the Township Manager to submit a letter to the Department of Conservation and Natural Resources inquiring about their plans for a parking area in Pine Grove Mills. Ms. Dininni seconded the motion. The motion passed unanimously.

7. AUTHORIZATION OF PUBLIC RESPONSE ON THE PINE HALL TRADITIONAL TOWN DEVELOPMENT GENERAL MASTER PLAN APPROVAL

Mr. Miller reviewed the item. Noted, after approval of the Master Plan, two notices for appeals were received. Details followed on the process. A draft letter was provided to the Board for review that was updated from the agenda version to meet advertising requirements.

Mr. Stryker moved that the Board of Supervisors **approve** the Board of Supervisors' response to the Pine Hall Traditional Town Development General Master Plan Approval. Mr. Killian seconded the motion. The motion passed unanimously.

Mr. Miller had a discussion on response to media inquiries. He suggested handling anything to do with litigation so that there will be consistency on responses.

Ms. Dininni moved that the Board of Supervisors **nominate** Steve Miller to be the recipient of media inquiries that are general about this plan and **nominate** Dave Pribulka to receive media inquiries in regard to litigation about this Plan. Mr. Killian seconded the motion. Both representatives accepted the responsibility. The motion passed unanimously.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Public Services & Environmental Committee. Mr. Stryker reviewed two agenda items. The first item was a report by Pam Adams on greenhouse gas inventory that provided details that did not include emissions data from Penn State due to Penn State having their own greenhouse gas inventory. The second item was a discussion on recommendations proposed to change pickup times for recycling and refuse for summer months due to heat issues. Mr. Stryker asked for feedback to take back to the committee due to some noted concerns from committee members. Discussion followed on reservations and concerns. A number of concerns were noted such as noise ordinance and weather-related issues. This change would be effective from Memorial Day to Labor Day.

Mr. Pribulka discussed the noise ordinance regulations in more detail. In summary, the Board did not support permitting the start time for refuse collection to be 6:00 a.m. between Memorial Day and Labor Day.

- b. Joint Transportation & Land Use Committee and CRPC Meeting. Ms. Strickland noted from the greenhouse gas inventory discussion they had that this is the first step in the climate action plan. The other big discussion was on the CHIP priorities that was already reported to the Board.

2. OTHER REGIONAL REPORTS

- a. Centre County Metropolitan Planning Organization Coordinating Committee. Ms. Strickland reported on the SEDA-COG Joint Rail Authority presentation and the Transportation Improvement Program projects.
- b. Steering Committee – Parks & Recreation Regional Comp Plan. Ms. Dininni reported on the worksession that was held. Draft Recommendations were received regarding core themes for Parks. Details followed on noted concerns. The recommendations will be forwarded to Board members per request.
- c. Solar PPA Working Group. Agenda was provided with the packet. Mr. Pribulka stated to forward any questions to him and he will relay them to Mr. Endresen for a response.

3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka presented the report as provided in the agenda packet. Participation in United Way Day of Caring consisted of tree work, concrete laying, and landscaping. Ms. Strickland, Ms. Dininni and the Manager attended a kickoff meeting for the CBICC and Central PA Convention & Visitors Bureau Agritourism initiative. Attended a meeting of the Non-Uniformed Pension Advisory Committee on a draft Investment Policy Statement (IPS); this will come before the Board at a future regular meeting and a possible request of Board member participation. Provided to the Board were Actuarial Valuation for the Police Pension Plan ratios and funding track goal to be fully funded by 2030. The deadline for Board members to RSVP to the Manager for the Centre County Association of Township Officials Annual Fall Convention is October 10th. Noted, the Township is invited to these events but is not a member of the PA State Association of Township Supervisors who hosts these events. Ms. Martin reported the Internship Program is now available on the website for those interested in applying as well as noted qualifications and opportunities.
- b. Public Works Director. Mr. Modricker reported on highlights that were included with the report. A public meeting will be held at College Township on October 30th in conjunction with the Township's revised Pollutant Reduction Plan (PRP). The next progress meeting is October 17th for the Township's renovations to the Administration Building - construction expected to start closer to the end of the month. Bids opened on October 1st for the Public Works Maintenance Facility; low bids exceeded budget for the four trades (general, plumbing, electrical, mechanical); staff is evaluating options and will bring to the Board at a future meeting for discussion. The next Tree Commission Meeting is October 21st that is advertised for public hearing on tree removals. MS4 required permit inspection was conducted on Oct 2nd; reported not aware of any deficiencies. Maintenance and project updates. A request for proposals was issued for professional engineering services that are due by October 15th for the Science Park Road/Sandy Drive contract.

Discussion followed on bid process and over budgeting in response to Mr. Stryker's questions. Mr. Pribulka noted the budget meetings are November 12 and 14, 2019, to discuss budget items.

- c. Planning & Zoning Director. Ms. Wargo reported that the September 23rd meeting was cancelled. The next meeting is scheduled for October 14th. Update on projects as provided. On schedule for the public hearing for the adoption of the Zoning and SALDO ordinances on October 21st. The Zoning Administrator and Community Planner will be in attendance at that meeting. The Manager and Planning/Zoning Director will not be in attendance. Details followed on Zoning/SALDO special meetings in September. Next Zoning Hearing Board is scheduled for October 22nd. Mr. Pribulka expanded the discussion to state the Board's regular meeting on October 21st overlaps with meetings that he, Ms. Martin and Ms. Wargo will be attending at the same time. Acting as Township Manager will be Mr. Modricker. Ms. Yagle will be present at the meeting on October 21st.

IX. COMMUNICATIONS TO THE BOARD

Ms. Dininni did a follow-up with Ruth Cooper regarding the low mow/no mow concerns. The information will be forwarded to Mr. Miller.

X. CALENDAR ITEMS

- a. Coffee and Conversation, Saturday, October 12th, hosted by Ferguson Township at Tom Tudek Memorial Park, 8:00 a.m. – 9:30 a.m.
- b. Open House for the Bicycle Implementation Plan, Wednesday, October 30, 5:30 p.m. – 7:30 p.m.*
*Updated: 6:00 p.m. – 8:00 p.m.
- c. Trick or Treat Night in Ferguson Township, Thursday, October 31st, 6:00 p.m. – 8:00 p.m.
- d. Pine Grove Mills Small Area Plan, Tuesday, October 15th.

XI. Adjournment

Mr. Miller called for adjournment. With no further business to come before the before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 10:00 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors
Date approved by the Board: 10-21-2019