

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, November 4, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, November 4, 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
Eric Endresen, Director of Finance

Others in attendance included: Faith Norris, Recording Secretary; Jeremy Thompson; Ralph Wheland; Jim May, COG Planning; Jim Steff, COG; Joe Viglione, COG; Bruce Donovan, CATA; Kim Fragola, CATA; Chris Gibbons, Concord Public Finance; Jens Damgaard, Eckert, Seamans, Cherin & Mellott, LLC; Mel Westerman.

II. CALL TO ORDER

Mr. Miller called the Monday, November 4, 2019, regular meeting to order at 7:00 p.m.

Mr. Miller stated that the Board had an executive session on October 24th on personnel matters. By unanimous consent, two items were added under Unfinished Business for rescheduling the Zoning and SALDO for November 18th Regular Meeting.

III. CITIZENS INPUT

None noted.

IV. APPROVAL OF MINUTES.

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of October 21, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

V. UNFINISHED BUSINESS

1. CONTINUATION OF PUBLIC HEARING ORDINANCE REPEALING CODE OF ORDINANCES, CHAPTER 27, ZONING AND REPLACING IT WITH A NEW CHAPTER 27, ZONING.

Mr. Miller introduced the public hearing. Mr. Pribulka reviewed the draft amendments to the Zoning Ordinance. Discussion followed on suggested changes to the language in the Zoning Ordinance.

The following items were discussed: Request for accessory uses to be removed for places of assembly; short-term rental definitions and standards that apply to uses; conditional language for pet care services; setbacks; on-street parking and overlay; utilizing TSD language; keeping of livestock acreage and ratio in regard to a discussion on allowance of ducks. By unanimous consent, Mr. Miller requested to add keeping of ducks as a discussion item on an upcoming Board agenda. A separate discussion followed on spillover lighting and setbacks in the RA zoning district.

Following a discussion on mining and quarrying operations and conditional uses, it was noted that language will be incorporated for dimensional restrictions under Category 5 for a minimum lot size

of 20 acres. Stormwater Ordinance regulations were discussed in regards to dirt mounds. A recommendation was to bring these types of issues regarding construction to the Planning Commission for recommendations to the Board.

Mr. Miller asked for a motion to close the Public Hearing.

Ms. Strickland moved that the Board of Supervisors **close** the Public Hearing on Zoning. Mr. Killian seconded the motion. The motion passed unanimously.

2. CONTINUATION OF PUBLIC HEARING ORDINANCE REPEALING CODE OF ORDINANCES, CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT AND REPLACING IT WITH A NEW CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT.

Mr. Miller reviewed the ordinance for public hearing.

No comments were made.

Ms. Strickland moved that the Board of Supervisors **close** the Public Hearing on SALDO. Ms. Dininni seconded the motion. The motion passed unanimously

3. RESCHEDULING OF PUBLIC HEARING ORDINANCE REPEALING CODE OF ORDINANCES, CHAPTER 27, ZONING AND REPLACING IT WITH A NEW CHAPTER 27, ZONING.

Mr. Killian moved that the Board of Supervisors **reschedule** the public hearing for adoption of ordinance repealing Chapter 27, Zoning of the Ferguson Township Code of Ordinances and replacing it with a new Chapter 27, Zoning. Mr. Stryker seconded the motion. The motion passed unanimously.

4. RESCHEDULING OF PUBLIC HEARING ORDINANCE REPEALING CODE OF ORDINANCES, CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT AND REPLACING IT WITH A NEW CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT.

Ms. Strickland moved that the Board of Supervisors **reschedule** the public hearing for adoption of ordinance repealing Chapter 22, Subdivision and Land Development of the Ferguson Township Code of Ordinances and replacing it with a new Chapter 22, Subdivision and Land Development. Mr. Killian seconded the motion. The motion passed unanimously

5. PUBLIC HEARING RESOLUTION ADOPTING THE PINE GROVE MILLS SMALL AREA PLAN.

Mr. May reviewed the goals and process for the Small Area Plan.

Mr. Killian moved that the Board of Supervisors **adopt** the resolution adopting the Pine Grove Mills Small Area Plan. Ms. Strickland seconded the motion. The Board thanked Mr. May for the work done on the community effort. The motion passed unanimously.

Roll Call vote on Resolution #2019 -24: Mr. Stryker – YES; Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller - YES; Ms. Strickland – YES.

6. PUBLIC HEARING RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION MULTIMODAL TRANSPORTATION FUND FOR PINE GROVE MILLS STREETScape IMPROVEMENTS.

Mr. Pribulka introduced the resolution for public hearing. This grant match will help offset costs as noted. Details discussed on the grant program and budget match based on MTF funding.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution authorizing the submittal of a grant application to the Pennsylvania Department of Transportation Multimodal Transportation Fund. Ms. Strickland seconded the motion.

ROLL CALL vote on Resolution 2019-25: Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller - YES; Ms. Strickland – YES; Mr. Stryker – YES.

Ms. Dininni thanked the County commissioners.

VI. NEW BUSINESS

1. CONSENT AGENDA

- a. Meckley 2 Lot Subdivision Surety Release
- b. 2019-C20 Science Park Road & Sandy Drive Traffic Signal Warrant Study: \$22,000

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

2. PUBLIC HEARING RESOLUTION CERTIFYING PROVISION OF LOCAL MATCH FOR STATE OPERATING AND CAPITAL FINANCIAL ASSISTANCE TO THE CENTRE AREA TRANSPORTATION AUTHORITY FOR FISCAL YEAR 2020 – 2021.

Mr. Pribulka reviewed the resolution for the CATA local share match. CATA operates on a July – June fiscal year.

Mr. Donovan presented the local share match budget. Topics included changes to simplify the document; match percentages; update to bus route services and replacement emergency services. This is year three in a 3-year plan. Mr. Donovan noted he is looking forward to a relationship with community partners. Discussion followed on operating capital changes that have slightly increased.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution certifying the provision of local match for state operating and capital financial assistance to the Centre Area Transportation Authority for fiscal year 2020 – 2021. Mr. Stryker seconded the motion.

Roll Call vote on Resolution #2019-26: Mr. Killian – YES; Mr. Miller – YES; Ms. Strickland – YES; Mr. Stryker – YES; Ms. Dininni – YES.

3. PUBLIC HEARING RESOLUTION ADOPTING A NON-UNIFORMED PENSION PLAN INVESTMENT POLICY STATEMENT.

Mr. Pribulka reviewed the plan and intent of the committee. Mr. Miller discussed allocation of funds.

Mr. Killian moved that the Board of Supervisors **adopt** the resolution adopting a non-uniformed pension plan investment policy statement. Ms. Dininni seconded the motion.

Roll Call vote on Resolution 2019-27: Mr. Miller – YES; Ms. Strickland – YES; Mr. Stryker – YES; Ms. Dininni – YES; Mr. Killian – YES.

4. SCHEDULING OF A PUBLIC HEARING ON AN ORDINANCE AUTHORIZING BOND ISSUANCE TO FINANCE THE FERGUSON TOWNSHIP PUBLIC WORKS MAINTENANCE FACILITY

Mr. Pribulka reviewed the item for scheduling of the public hearing. A clarification was made that this authorization is not approving a debt issuance or a contract.

Mr. Stryker moved that the Board of Supervisors **schedule** a public hearing on an ordinance authorizing a general obligation bond issuance for the Ferguson Township Public Works Maintenance Facility for Monday, November 18, 2019. Mr. Killian seconded the motion.

Mr. Gibbons presented an overview of Bond Issuance as provided in the handout to the Board at tonight's meeting. Discussion followed on rates; payment scheduled; bank loan evaluation; percentage of a tax right-off; and long-term vision. Mr. Wheland noted his concern of obligation of bond issuance and whether incoming Board members would approve of the authorization.

Mr. Damgaard discussed bond issuance and the process. Discussion followed on refinance options and a request by a Board member to discuss justification of value of cost for new facility at the next Regular Meeting.

The motion passed 4 to 1 with Ms. Strickland dissenting.

5. REVIEW OF THE 2020 CENTRE REGION COUNCIL OF GOVERNMENTS SUMMARY BUDGET.

Mr. Miller introduced the item. Mr. Steff reviewed the COG budget process and continued with presenting the budget.

Ms. Dininni discussed her concern on the percentage amount that Ferguson Township contributes to COG. Mr. Steff discussed municipal contributions and the increased budget due to packaged services and the formula that changes yearly. A discussion followed on clarification of cost reallocations for the Park's office move. A recommendation was made to have the Board submit this item to the Finance Committee for discussion on the Parks policy and cost allocation.

The Board continued with the review of the COG Summary Budget. Messer's. Steff and Viglione were in attendance to answer questions. Topics of interest were off-site storage of records; COG Contingency Fund; Schlow Library seasonal wages; rationale of pool fee structure for CRPRA Aquatic Program; standard funding for Active Adult Center; Mill Brook Marsh Nature Center - request for donation to the Capital Fund; and a request for committed funds for the Parks facility.

Mr. Stryker moved that the Board of Supervisors **direct** the Township Manager to forward its comments on the 2020 Centre Region Council of Governments Summary Budget to the COG Executive Director by November 20, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

6. SCHEDULING OF INTERVIEWS OF APPLICANTS FOR VACANCIES ON THE TOWNSHIP'S AUTHORITIES, BOARDS, AND COMMISSIONS.

Mr. Pribulka reviewed the applicants as provided to the Board. Due to some vacancies not having potential appointments, Mr. Pribulka asked to extend the deadline.

Discussion followed on the process and that appointments are made at the organizational meeting in January. Dates for interviews of current applicants will be on December 3 and 4 at 6:00 p.m. Mr. Miller encouraged anyone interested in the open positions to apply.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Executive Committee. Mr. Miller stated the agenda was in the packet.

2. OTHER REGIONAL REPORTS

- a. Climate Action Technical Group. Matter of record. Regional initiative spearheaded by Pam Adams.

3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka noted the special meetings for review of the draft budget; Rushcliffe Street update on on-street parking; local match MTF fund; goal setting portal; Climate Action Committee met on October 25th; and fifth year in a row that the Township has received the Government Finance Officers Association Distinguished Budget Presentation Award.
- b. Public Works Director. Mr. Modricker reported on renovations to the Administration building that have begun; Public Works Facility update; Stormwater Meeting update; and Leaf/Brush collection update;
- c. Planning & Zoning Director. Ms. Wargo reported the summary from Planning Commission report as provided with the agenda. Attended PA Planning Chapter Conference and Mr. Ressler attended the Safety Conference. Update on the Zoning Hearing Board's meeting on Meckley Subdivision; map amendments update was provided to the Board tonight.

Ms. Dininni discussed amount of time it takes to receive a zoning permit for food truck vendors. Discussion followed on process and communication. Staff will look into if this is a Municipalities Planning Code requirement.

VIII. COMMUNICATIONS TO THE BOARD

None reported.

IX. CALENDAR ITEMS

- a. Board meetings in December will be held the first and second Mondays due to the holiday;
- b. Budget Special Meetings are November 12 and 14;
- c. Centre Rec Comp Plan Open House, November 14.

X. Adjournment

Mr. Miller 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 10:45 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 11-18-2019