

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, December 2, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, December 2, 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
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; John Spychalski, Chris Jordan, CATA; Shelly Mato, CRCOG; Dr. Beth Van Horn; Patty Stephens; Judy Barrile.

II. CALL TO ORDER

Mr. Miller called the Monday, December 2, 2019, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT

Dr. Van Horn voiced her concern on the noise at Cato Park's ARL facility and requested for review of the noise ordinance. Discussion followed with Mr. Pribulka stating the Township is aware of the concern and has had several meetings to mitigate the problem. The facility has taken steps to tone down the noise. Mr. Miller suggested collecting data and move forward from there with addressing the ordinance. Discussion followed on the noise issue.

IV. Special Reports

- a. Centre Area Transportation Authority – Mr. Spychalski introduced Chris Jordon, Director of Service Development Community Engagement who was present to answer technical related questions. The report included: CATA's Fiscal Year 2018-19 Annual Report that is now available on the website; discussed search efforts to make CATA more useful to the public; funding was provided for a Bellefonte based pilot project titled "CATago" to launch in early January 2020 at three State College destinations-future projects may be considered where there is low-population density dependent on the success of this project; reviewed the mobile app options and service times during the week; winners of Postcards from CATA for the CATArt have been posted on the CATA website that drew 800 submissions. Mr. Pribulka noted a copy of the annual report from CATA was provided with the Manager's Report.
- b. * Centre Region Refuse Contract Report followed item 1 under Unfinished Business.

V. APPROVAL OF MINUTES.

Ms. Dininni moved that the Board of Supervisors **approve** the Board Special Meeting Minutes of October 20, 28 and September 25, 2019. Ms. Strickland seconded the motion. Ms. Dininni requested clarification on page 1 under RA on non-conforming lots in the permitted use tables. Discussion followed with Mr. Pribulka noting the sentence will be cleaned up. The motion passed unanimously.

VI. UNFINISHED BUSINESS

1. PUBLIC HEARING ON PROPOSED 2020 ANNUAL OPERATION BUDGET.

Mr. Pribulka introduced the proposed budget for adoption on December 9th. He thanked the Board and staff for their work on the document. Changes can be made at tonight's meeting. Mr. Endresen presented a short summary to the Board. Mr. Pribulka further reviewed the cost analysis. The 2020 Multimodal Transportation Fund grant request was not awarded. The Township will look for more funding opportunities.

Clarifications were made during discussion.

No public comments were made.

Mr. Killian moved that the Board of Supervisors **approve** the proposed 2020 Annual Operating Budget and authorize a public hearing on the final adoption of the budget for December 9, 2019. Ms. Dininni seconded the motion.

Discussion followed on proposed expenses. This included the allocation timelines for Songbird Sanctuary; Suburban Park; Tudek Paving; the FEMA/CLOMR/LOMR permits; and hiring of a second Dendrician/Arborist.

Mr. Miller asked that each request have a separate motion.

Ms. Strickland moved that the Board of Supervisors **delay** the allocation of \$75,000 for Songbird Sanctuary from 2020 to 2021. Mr. Miller seconded the motion. Discussion followed on passive park amenities. The master plan has not been approved. The motion passed unanimously.

Ms. Strickland moved that the Board of Supervisors **delay** the allocation of \$75,000 for Suburban Park FEMA/CLOMR/LOMR & PADEP Permits from 2020 to 2021. Mr. Miller seconded the motion. A detailed discussion followed. The motion failed with Mr. Miller, Mr. Killian, Mr. Stryker and Ms. Dininni dissenting.

The amount for Tudek Paving was clarified.

Ms. Strickland moved that the Board of Supervisors **delay** the allocation of \$44,000 for Tudek Paving from 2020 to 2021. Mr. Miller seconded the motion. Discussion followed on implications if work is delayed. The motion failed with Messrs. Miller, Killian and Stryker dissenting.

A discussion followed on the budget justification for an additional Dendrician for a level of service and to balance administrative and field work that has increased for the current arborist. Mr. Pribulka noted the additional position would be doing more of the field work.

Another discussion followed on justification for line items that have increased for departments; funding outside entities such as Town and Gown and training budget. Overall cost reduction for training will be a discussion item placed on an agenda for next year.

Mr. Pribulka asked for clarification on where the projected interfund transfer should go to due to the motion on Songbird Sanctuary.

Mr. Miller moved that the Board of Supervisors **reallocate** interfund transfer of \$75,000 from the Parks Improvement Fund to the Capital Reserve Fund. Ms. Dininni seconded the motion. The motion passed unanimously.

Clarification was made on the separate agenda item to vote on for the irrigation system.

Mr. Miller called for vote on authorizing the public hearing. The motion passed unanimously.

*Special Report – Centre Region Refuse Contract. Ms. Mato discussed the change in start time for daytime collection as a positive proposed change. A copy of the Joint Proposal was provided to the Board at the meeting to view. If the joint proposal is approved, Ferguson Township's ordinance will need updated for compliance. Discussion followed on extending hours for the Transfer Station. Mr. Miller stated to provide this information to the committee to explore.

2. RUSHCLIFFE STREET - ONE-WAY STUDY AND PARKING PROHIBITIONS.

Mr. Pribulka presented the item for discussion. If moving forward, an ordinance amendment would be required. Discussion followed.

A citizen voiced her safety concerns with blocked driveways due to narrow streets and the parking situation.

Mr. Stryker moved that the Board of Supervisors **direct** staff to prepare a draft ordinance establishing additional parking prohibitions on Rushcliffe Street. Mr. Killian seconded the motion. The motion passed unanimously.

Mr. Miller called for a brief recess.

3. APPROVAL OF THE 2020 CENTRE REGION COUNCIL OF GOVERNMENT SUMMARY BUDGET.

Mr. Pribulka reviewed the item.

Mr. Killian moved that the Board of Supervisors **approve** the 2020 Centre Region Council of Governments Summary Budget. Mr. Stryker seconded the motion.

Discussion followed on approval of the budget as a whole vs. approval of some items on the budget. Examples were given. The fee structure was discussed.

The motion passed unanimously.

4. REQUEST FOR FINANCIAL SUPPORT FOR WHITEHALL ROAD REGIONAL PARK – CONTINUED DISCUSSION.

Mr. Miller clarified that this item is a postponed motion for the irrigation system from the previous Board meeting in November. Discussion followed on park loan and fund options.

Tabled motion:

Mr. Stryker moved that the Board of Supervisors **approve** the appropriation of \$30,000 from the Regional Capital Recreation Projects Fund to the Centre Region Council of Governments to fund the installation of an irrigation system at Whitehall Road Regional Park. Mr. Miller seconded the motion.

The motion failed with Mr. Stryker, Ms. Dininni and Ms. Strickland dissenting.

VII. NEW BUSINESS

1. CONSENT AGENDA

- a. Development Schedule – The Landings Planned Residential Development
- b. Board Member Request – Pine Grove Mills Speed Limit Study
- c. Treasurer's Report – September 2019 *for acceptance*
- d. 2019-C27 GLG Round 4 Detection Upgrade Final Pay App/Invoice: \$104,907.03

The Landings, item a, was pulled from the Consent Agenda and placed at the end of New Business for discussion.

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

2. ZONING APPEALS/VARIANCES.

- a. Request for Variance – 812 Science Park Road.

Ms. Wargo reviewed the item for adoption that was provided with the agenda.

Mr. Stryker moved that the Board of Supervisors **remain neutral** on the variance request for 812 Science Park Road. Ms. Dininni seconded the motion.

3. PUBLIC HEARING RESOLUTION ADOPTING A REVISED ALLOCATION OF EARNED INCOME TAX, REAL ESTATE TAX, AND REAL ESTATE TRANSFER TAX REVENUES TO THE TRANSPORTATION IMPROVEMENT FUND.

Mr. Pribulka reviewed the item for adoption.

No public comments were noted.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution repealing Resolution 2014-41 and adopting a revised allocation of earned income tax, real estate tax, and real estate transfer tax to the Transportation Improvement Fund. Mr. Killian seconded the motion.

Roll Call vote on Resolution 2019-28: Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES; Ms. Strickland – YES; Mr. Stryker – YES. The motion passed unanimously.

4. AUTHORIZATION OF A PUBLIC HEARING ON AN ORDINANCE APPROVING A NEW CABLE FRANCHISE AGREEMENT WITH COMCAST.

Mr. Pribulka reviewed the item for the public hearing. This is a ten year agreement strictly for cable service. It was noted that a considerable amount of work was put into the agreement.

Ms. Dininni moved that the Board of Supervisors **authorize** a public hearing on an ordinance approving a new cable franchise agreement with Comcast for December 9, 2019. Ms. Strickland seconded the motion. The motion passed unanimously.

5. TURNBERRY TTD – TRAFFIC IMPACT STUDY AND DEVELOPMENT SCHEDULE.

Ms. Wargo introduced the item for approval that was provided with the agenda. Discussion followed on conditions of approval.

Ms. Dininni moved that the Board of Supervisors **approve** the revised phasing plan and include a condition that an update to the TIS be performed for each SIP that is not completed within the original approved horizon year of 2026, and that the developer agree to mitigate new impacts as a result of that analysis. Mr. Killian seconded the motion. Discussion followed on clarification of the motion. The motion passed unanimously.

6. REVIEW OF THE DRAFT 2020 SCHEDULE OF FEES.

Mr. Pribulka reviewed the item as provided with the agenda packet. Discussion followed for on lot sewage inspections; code; and permit fee waivers. Staff will check on inspection fees.

Ms. Strickland moved that the Board of Supervisors **authorize** a public hearing on a resolution adopting the 2020 Schedule of Fees for December 9, 2019. Ms. Dininni seconded the motion. The motion passed unanimously.

7. THE LANDINGS PLANNED RESIDENTIAL DEVELOPMENT SCHEDULE

Mr. Pribulka reviewed additional conditions in reference to the previous Board meeting's discussion for the modified development schedule. This is a preliminary development plan for approval. Discussion followed phasing approvals; expiration dates; and zoning regulations.

Mr. Miller asked for a vote on the acceptance of the submission of the development.

Ms. Dininni moved that the Board of Supervisors **accept** the submission of the development scheduled for The Landings. Ms. Strickland seconded the motion. The motion passed unanimously

Discussion followed on details of the existing dirt pile.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Finance Committee. Mr. Killian stated the agenda was provided with the packet.
- b. Executive Committee. Mr. Miller stated the agenda was provided with the packet.
- c. Transportation & Land Use Committee. Ms. Strickland reviewed the items discussed that included development of the high speed interchange and Jacksonville Road; Long Range Transportation Plan; forward thinking on wiring on vehicles; continuation of 322 parkway; Harris Township speed reduction request; and Student Housing.

2. OTHER REGIONAL REPORTS

- a. Climate Action Advisory Group. Mr. Pribulka reported discussion was on local and regional plans; and strategy on greenhouse reduction in 2020 for Board to review.
- b. Spring Creek Watershed Commission. Mr. Stryker provided information and discussed Phase II One Water Plan. Numerous stakeholders can have a lot of advantages when working together. Goals reviewed.

- c. Solar Power Purchase Agreement Working Group. Mr. Endresen reviewed the county-wide group and members that have joined. Next steps reviewed for consultant.

3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka stated the report was provided with the packet. He noted that the next Board meeting will be held on December 11th.
- b. Public Works Director. The report was provided with the packet.
- c. Planning & Zoning Director. Ms. Wargo stated the report was provided with the packet.

IX. COMMUNICATIONS TO THE BOARD

Mr. Miller appreciated the support he has received from staff and board members.

X. CALENDAR ITEMS

- a. Administrative Office Hours for the holidays: open until noon on December 24th; closed December 25th; open until noon on December 31st and closed January 1, 2020.

XI. Adjournment

Mr. Miller stated there will be an executive session following this meeting and called for adjournment. With no further business to come before the Board of Supervisors, Mr. Killian motioned to adjourn the meeting. The meeting adjourned at 10:20 p.m.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors
Date approved by the Board: 12-09-2019