

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, February 3, 2020
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, February 3, 2020, at the Ferguson Township Municipal Building. In attendance were:

Board:	Steve Miller, Chairman	Staff:	Dave Pribulka, Township Manager
	Laura Dininni		Centrice Martin, Assistant to the Manager
	Lisa Strickland		Jenna Wargo, Planning/Zoning Director
	Patty Stephens		Dave Modricker, Public Works Director
	Prasenjit Mitra		Chris Albright, Chief of Police
			Eric Endresen, Director of Finance

Others in attendance included: Faith Norris, Recording Secretary; Frank Savino, Central PA 4th Fest; Ben Strickland; Matt Heller; Jacob Heller; Seth Trout; Oliver Kennea; Paul Tonkuel.

II. CALL TO ORDER

Mr. Miller called the Monday, February 3, 2020, regular meeting to order at 7:00 p.m.

Mr. Miller acknowledged Scout Pack 44 in attendance.

III. CITIZENS INPUT

None.

IV. SPECIAL REPORTS

Centre Region Parks and Recreation Authority. Mr. Keough reported on five items:

- Millbrook Marsh – Discussed boardwalk infrastructure and the need for repair. Mr. Keough further discussed the process of getting permits to do the work. He hopes for support from all of the local municipalities.
- Parks & Recreation has changed its software package that interacts with the public. Mr. Keough went into detail on what the software can do and that it significantly cost less than the prior software package.
- RFPs were sent out to local vendors to provide food at listed recreation sites. This is in preparation to collect fees and complete required permits.
- Update on Whitehall Road Regional Park – CRPR is looking for a project manager that has the skills necessary to coordinate the project.
- Parks & Recreation. Discussion followed on report received and deadline for the Comp Plan in March 2020. Mr. Keough discussed financial match opportunity for the Comp Plan process.

Further discussion followed on the grant match towards the feasibility study and boardwalk repairs. The Board discussed the construction process, base bids, costs and investment opportunities, environmental impact of the boardwalk, and the campaign for the Marsh. Mr. Mitra noted there is community support and that more information is needed per residents' feedback. The feasibility study is being done to determine impact vs. need and usability.

V. APPROVAL OF MINUTES.

Mr. Mitra moved that the Board of Supervisors **approve** the Board of Supervisors Minutes of January 20, 2020. Ms. Stephens seconded the motion. The motion as amended passed unanimously.

VI. UNFINISHED BUSINESS

1. AUTHORIZATION OF A PUBLIC HEARING ON A RESOLUTION AMENDING THE FERGUSON TOWNSHIP 2020 ANNUAL OPERATING BUDGET BY MODIFYING OR INCREASING EXPENDITURES.

Mr. Pribulka reviewed the item for authorization of a public hearing. The purpose of the proposed budget amendment is to shuffle expenses from the Capital Reserve fund into the Township's Liquid Fuels fund for purchasing of certain eligible transportation-related expenditures. Noted, was deferral of purchasing a bucket truck until 2021. Mr. Endresen highlighted the amendments in the draft resolution as provided with the agenda.

Clarification was made on state fund allocations that are fixed or stable from year to year. Mr. Pribulka clarified the municipal budgeting process, specifically Capital Reserve funds eligible for Liquid Fuels expenditures. Discussion followed on the new public works building breakdown of costs for a construction manager. Discussion continued on deferral of purchasing equipment until 2021.

Ms. Strickland moved that the Board of Supervisors **schedule** a public hearing on a resolution amending the 2020 Operating Budget for Tuesday, February 18th. Ms. Dininni seconded the motion. The motion as amended passed unanimously.

2. PINE GROVE MILLS SMALL AREA PLAN AD HOC ADVISORY BOARD.

Mr. Pribulka reviewed the history of the item and discussed options received on implementing the Small Area Plan (SAP). He reviewed options for a standing committee vs. an ad hoc committee. The standing committee requires certain criteria and ordinance adoption by the Township. A formation of an ad hoc committee formed for specific tasks or objectives does not require an ordinance amendment and there is less involvement in governance structure.

Mr. Heller reviewed the SAP adoption and next steps. He voiced his support for a standing committee to foster continued discussions.

Board discussion followed on what is involved with and clarification of the two types of committees and the communities' involvement. It was determined that an ad hoc committee is more flexible vs. a board-appointed standing committee where an ordinance is required and more record keeping is needed. Discussion followed on the makeup of other Township project-specific committees. Board members discussed their recommendations and some consensus for a formal standing committee. Mr. Pribulka noted that both committees would have the same stature with the community and requirements for advertisement in accordance with the Sunshine Act. Mr. Pribulka noted that a component of the Administrative Code says a committee cannot be established unless determined that an existing committee cannot serve that function.

Ms. Dininni moved that the Board of Supervisors **authorize** the establishment of a standing committee for the purpose of providing advice and recommendations to the Township Manager relative to implementation of the Pine Grove Mills Small Area Plan. Mr. Mitra seconded the motion. The motion passed unanimously.

3. DONATION REQUEST – CENTRAL PENNSYLVANIA FOURTH FEST, FRANK SAVINO, EXECUTIVE DIRECTOR.

Mr. Savino reviewed his history with the community and the Central PA 4th Fest. He discussed the numerous volunteer service, in kind/monitory funding and other factors for hosting the event. Noted was the increased cost of security, equipment, and advertising. Mr. Savino noted that the Central PA 4th Fest celebration is one of the top celebrations nationally.

Discussion followed on concern of where the funding is being spent, community contributions and the Township's budgeted sponsorships. Discussion followed on amount to contribute and other elements of the fest.

Ms. Dininni moved that the Board of Supervisors **authorize** a contribution in the amount of \$2,000 to the 2020 Central Pennsylvania Fourth Fest. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Pribulka discussed standing allocations and the donation policy that last year's Board approved a change for the 2020 budget that amount designations be left open and consider specific donation requests based on merit.

4. DONATION REQUEST – DISCOVERY SPACE, MICHELE CROWL, EXECUTIVE DIRECTOR.

Ms. Crowl reviewed statistics and history of Discovery Space as well as it being an asset to the community for ages 6 months to 14 years old. The draw is from nine counties. A new community makerspace with shared tools is being opened to the public called The Rivit that can target entrepreneurs. Discussion followed on support for a business plan; prototyping; fees (to cover use of equipment and consumables); scholarship program for CAP funds; buy-in passport program; community classes; and potential for membership levels. The support request was for \$5,000 over three years to help with the common area and parking lot safety and security system. Discovery Space and The Rivit are both a non-profit.

Mr. Heller noted is support for establishing access to everybody and outreach from Discovery Space. Discussion followed on affordability, general COG funding, access and services, and Township funding for one year.

Mr. Miller moved that the Board of Supervisors **authorize** a contribution of \$2,500 to Discovery Space. Ms. Strickland seconded the motion. The motion passed unanimously.

Mr. Miller called for a short recess.

5. AUTHORIZATION OF PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING FOR TRAFFIC SIGNAL SYSTEM CONSULTING SERVICES.

Mr. Modricker reviewed the item for authorization.

Clarification on budgeted amount was discussed in response to a Board member's question. Mr. Modricker noted the firm was PennDOT recommended that they do this type of contracted work with.

Ms. Dininni moved that the Board of Supervisors **authorize** the execution of the professional services agreement with Jacobs Engineering and the Proposal for Traffic Signal System Consulting Services dated January 23, 2020, with a maximum fee amount of \$50,000. Ms. Stephens seconded the motion. The motion passed unanimously.

6. AUTHORIZATION OF CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE FERGUSON TOWNSHIP PUBLIC WORKS MAINTENANCE FACILITY.

Mr. Pribulka reviewed the history of the professional services contract for authorization. Mr. Modricker reviewed the services and work scope of what a construction manager would provide.

Discussion followed on number of firms interviewed and location of both firms in conjunction to the Township.

Ms. Dininni moved that the Board of Supervisors **authorize** the contract with WRA for construction management services for the Ferguson Township Public Works Maintenance Facility in an amount of \$246,040 plus direct expenses. Ms. Strickland seconded the motion. The motion passed unanimously.

7. AUTHORIZATION OF CONTRACT FOR SPECIAL INSPECTION SERVICES FOR THE FERGUSON TOWNSHIP PUBLIC WORKS MAINTENANCE FACILITY.

Mr. Modricker reviewed the professional services contract for authorization. The proposed facility cannot be inspected by the construction manager and is required by Centre Region Code.

Ms. Dininni moved that the Board of Supervisors **authorize** the contract with CMT Laboratories, Inc., for special inspection services for the Ferguson Township Public Works Maintenance Facility in an estimated amount of \$41,450.00. Ms. Strickland seconded the motion. The motion passed unanimously.

Discussion followed on firm chosen vs. other firms. The motion passed unanimously.

8. AMENDMENTS TO THE FERGUSON TOWNSHIP ZONING MAP

Mr. Pribulka reviewed the item as provided to continue the process from last year. Ms. Wargo reviewed the map's geography.

Discussion followed on shared zoning in reference to the Industrial Zoning District and engaging with land owners or other municipalities for future opportunities. Mr. Pribulka noted staff is aware of the Board's interest with this topic that can be tabled for another meeting. Discussion followed with staff on the zoned properties.

Ms. Dininni moved that the Board of Supervisors **refer** the Zoning Map Amendment to the Planning Commission for review and comment. Mr. Mitra seconded the motion. The motion passed unanimously.

Clarification was made on the amendment to the zoning map in response to a question.

VII. NEW BUSINESS

1. CONSENT AGENDA

a. Treasurer's Report – November 2019

- b. Treasurer's Report – December 2019
- c. Sponsorship Request – Women's Leadership Conference, \$400.00
- d. Sponsorship Request – Leadership Centre County, \$500.00

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda and **accept** the Treasurers' reports. Ms. Strickland seconded the motion. The motion passed unanimously.

2. ZONING APPEALS/REQUESTS FOR VARIANCES.

- a. Zoning Appeal/Request for Variance – 900, 904, 906, 912, and 916 West College Ave./West Calder Way

Mr. Pribulka introduced the concept plan. Two applications were filed: Zoning Appeal and Request for Variance. Descriptions of both applications followed. Discussion followed on clarification on frontage parking and zoning laws and consistency with the zoning code. Mr. Miller clarified how the Board takes positions on zonings and variances.

Ms. Strickland moved that the Board of Supervisors **remain neutral** on the request for variance submitted by York Acquisitions, LLC for properties on West College Avenue in the Terraced Streetscape District. Ms. Dininni seconded the motion. The motion passed unanimously.

3. CITIZEN'S REQUEST – PINE GROVE MILLS CROSSWALKS.

Mr. Pribulka reviewed the item as provided with the agenda. Mr. Modricker did an overview of the crosswalks and history in the Township. Staff has discussed this item with other communities on their policy. Some areas are not in the right-of-way, meaning private property. Discussion followed on the walkways that Ferguson Township can do line striping on and what is reasonable. Discussion followed on support, staff time, and whether it is appropriate for the mobility study.

Ms. Dininni moved that the Board of Supervisors **direct** staff to evaluate the resident's requests for the installation of crosswalks in Pine Grove Mills and, where warranted, include the painting of crosswalks in the 2020 line striping contract. Ms. Strickland seconded the motion.

Clarification was discussed on public bus stops that require crossings.

The motion passed unanimously.

4. AWARD OF CONTRACT 2020-C13, STREET TREE PLANTING.

Mr. Modricker reviewed the contract and bids.

Ms. Dininni moved that the Board of Supervisors **award** Contract 2020-C13 Street Trees, in the amount of \$11,094.78 to Luther Lawn Service LLC, as recommended in the Public Works Director's memorandum of January 28, 2020. Ms. Strickland seconded the motion. The motion passed unanimously.

VIII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Executive Committee. Mr. Miller noted the agenda was in the packet and items were discussed at COG.

- b. TLU Committee. Ms. Strickland recapped the CBICC event on Workforce Housing and transportation; expanded discussion followed on bikes, roads and bus pass initiative - Board and staff feedback is welcomed on the bus pass system. Discussion followed on an overall transportation plan. Other report topics included construction, demographic trends, ACS survey/census, and committee roles and overlap.
- c. Ms. Dininni inquired if there were any questions from the last regular meeting committee reports that she was not able to report on. Ms. Strickland noted COG orientation and introduction on HazMat service was good.

2. OTHER REGIONAL REPORTS

- a. Solar Power Purchase Agreement Working Group (SPPAWG). Mr. Endresen attends the meetings. The agenda was provided in the packet. Mr. Pribulka noted he is still waiting on the request for agenda item from the group that should be forthcoming soon.
- b. Climate Action & Adaption Technical Advisory Group (TAG). Agenda was provided in packet. Brandi Robinson is the Township's representative. The Township's Climate Action Committee met today and is beginning to work on milestones for greenhouse gas emissions reduction that is being discussed at the regional level and PS&E Committee is to discuss this at an upcoming meeting. Discussion followed on resolution process and both committees' goals.
- c. Centre County Metropolitan Planning Organization (CCMPO). Ms. Strickland reviewed the organizational appointments; federal performance measures for safety targets and statics; Shingletown Road speed limit limitations; responsiveness and suggestions on sign alerts; data collection request to reduce speed limit with Harris Township; Routes 26/45 is fully funded; and availability of safety related funds. Discussion followed on the crosswalk at Musser Gap and speed data information.
- d. Centre Area Cable Consortium (CACC). Mr. Pribulka reported on the reorganizational meeting. Since the franchise agreement is complete, the CACC meetings will go dormant for a while until input is needed for renegotiation of the agreement in a few years.

3. STAFF REPORTS

- a. Township Manager. Mr. Pribulka reviewed his report as provided with the agenda. Highlights included meeting on Parks & Recreation Safety inspections improvements. Ms. Dininni and Mr. Pribulka discussed the replacement of old equipment for Fairbrook Park and the master plan update. Two meetings are scheduled for regional demonstrations to review permitting software; meeting and review of the pension plans for non-uniform employees-update given; Manager and Chair attended Casey Technology Project's ribbon ceremony with media coverage; will meet with PSU COE regarding Stonebridge property owner complaints of the PSU facility at Cato Park; Coffee and Conversation was well attended on January 25th at Baileyville Community Hall that included discussion on stormwater management and local police use of radar bill. The manager will be out of office a couple of upcoming days and Mr. Modricker will be Acting Manager during that time. The Manager attended the Zoning Hearing Board on behalf of the Township for opposition to Islamic Society request - technical deficiencies identified and applicant will correct and resubmit - hearing is tabled until resubmission. Doug Erickson, Patton Township Manager, is confirmed for February 18th Board Meeting on the topic of open space.

- b. Public Works Director. Mr. Modricker reviewed renovations to the Administration building. Update on special inspections for the PWWF in reference to the agenda item contract approved at this meeting; February's Stormwater Fee Study Phase II Advisory Committee meeting was moved to March 25th; Tree Commission meeting is February 18th; update on winter operations; and update on street projects. In response to Mr. Mitra's question, Mr. Modricker discussed remediation credits structure in regards to the stormwater fee study.
- c. Planning & Zoning Director. The next meeting is February 10th; plan updates as provided with the agenda. Ms. Wargo attended the Economic Development Summit. Ms. Dininni and staff had an expanded discussion on the parking lot at the O W Houts site that is being used as an off-site pass through laydown yard. Staff came to the conclusion after a meeting with PSU that the Houts site is pre-existing and a non-conforming use. A discussion followed on surveyed land with land development plans.

IX. COMMUNICATIONS TO THE BOARD – None.

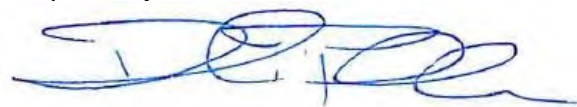
X. CALENDAR ITEMS – None.

XI. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 11:05 p.m.

Mr. Miller noted that there is an executive session following this meeting.

Respectfully submitted,



David Pribulka, Township Manager
For the Board of Supervisors

Date approved by the Board: 02-18-2020