

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, August 15, 2011
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, August 15, 2011 at the Ferguson Township Municipal Building. In attendance were:

Board:	George Pytel, Chairman	Staff:	Mark Kunkle, Township Manager
	Richard Killian		Trisha Lang, Director of Planning and Zoning
	Robert Heinsohn		Diane Conrad, Chief of Police
	Bill Keough		David Modricker, Director of Public Works
	Steve Miller		

Others in attendance included: Maggie Nicholson, Recording Secretary; Kevin Abbey; Joe Gherardi and Cathi Alloway.

II. CALL TO ORDER

Mr. Pytel, Chairman, called the August 15, 201, 2011 Regular Meeting to order at 7:00 pm.

ABC Reports

Centre Regional Planning Commission Report – Kevin Abbey

Mr. Abbey reported that 4 new people have been added to the Centre Regional Planning Commission and reworking of the comprehensive plan is now underway. Work sessions are being held prior to the regular monthly meetings of the Regional Planning Commission. Some areas outside of the regional growth boundary are being looked at for future growth as well as areas that would not be considered for future growth.

COG staff plans to make presentations to the elected officials and planning commissions concerning the regional plan. The regional attitude survey is near completion. Surveys have been mailed to a random sample of the population and in addition, citizens can go online and complete the survey.

Mr. Miller asked if there is a time frame for completion of the comprehensive plan. Mr. Abbey said it is to be completed next year. Mr. Pytel asked if the transportation land use committee should work along with the regional planners. Mr. Abbey said he supports looking at the transportation and land use along with the planning.

III. PUBLIC HEARINGS – RESOLUTIONS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE YEARS 2012 THROUGH 2016.

Mr. Kunkle gave a summary on the Capital Improvement Program (CIP) Budget and the financial assumptions that weremade concerning the Ferguson Township CIP Budget. He also pointed out the changes from the 2011 to 2016 CIP budget.

Mr. Killian made a motion to adopt the Resolution approving the Capital Improvement Program for the years 2012 through 2016. Mr. Heinsohn seconded the motion.

Mr. Kunkle took a Roll Call Vote of Resolution 2011-12. Mr. Heinsohn-YES; Mr. Keough-YES; Mr. Killian-YES-Mr. Miller-YES; Mr. Pytel-YES. The motion passed unanimously.

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, APPROVING A MASTER PLAN FOR THE WESTFIELD/HILLSIDE FARM ESTATES PARK COMPLETED BY HERBERT, ROWLAND AND GRUBIC, INC. LAST DATED JUNE 13, 2011.

Mr. Kunkle said HRG presented the master plan for the Westfield/Hillside Farm Estates Park at the previous Board of Supervisors meeting. Citizens residing in the subdivision along with township staff and a member of the Board and Parks and Recreation staff worked with the consultant to help come up with the design presented. The park is proposed to be developed over three phases. In addition to a plan designed with the land currently owned by the Township, the consultant prepared an alternate plan which incorporates lot #41 of the Westfield Subdivision which is currently under private ownership. The current owner of lot #41 was not aware the lot could not be developed when he purchased the lot, therefore the owner may be amenable to selling the lot. In order to move the park plan forward the Board asked that both Plan A and Plan B-including Lot #41 be presented for approval. Plan B permits the entrance to be relocated for better sight distance and provide additional spacing for facilities designed for the park.

Mr. Heinsohn made a motion to adopt the Resolution of the Master Plan for the Westfield/Hillside Farm Estate Park. Mr. Miller seconded the motion.

Mr. Kunkle took a Roll Call Vote of Resolution 2011-13. Mr. Heinsohn-YES; Mr. Keough-YES; Mr. Killian-YES-Mr. Miller-YES; Mr. Pytel-YES. The motion passed unanimously.

3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, A HOME RULE MUNICIPALITY, CENTRE COUNTY, AUTHORIZING THE TOWNSHIP TO CONDEMN LANDS OF (OWNERS) (TAX PARCELS) AS IDENTIFIED HEREIN SAID LANDS BEING LOCATED IN THE TOWNSHIP OF FERGUSON, TO OBTAIN FEE SIMPLE DEEDS AND EASEMENTS ON SAID LANDS TO BE USED FOR THE PUBLIC PURPOSE FOR WIDENING OF WHITEHALL ROAD, STORMWATER DRAINAGE AND UTILITIES AND SUCH OTHER PUBLIC PURPOSES AS PROVIDED FOR BY LAW.

Mr. Kunkle said the Township is proceeding with the Whitehall Road widening project from West College Avenue to Tadpole Road. The consultant has completed the right of way plans and now the acquisition of right of way and easements for the project is underway. Offer letters for acquisition of the right of way will be sent to property owners as the appraisals are completed. The Township Solicitor has advised that the Board should adopt a resolution in order to take the right of way necessary for the project with the understanding that the township has every intention of compensating the owners and negotiating the acquisitions in a fair and equitable manner. This resolution gives the property owner the advantage of not having to pay real estate taxes on the purchase price.

Mr. Killian made a motion to adopt the Resolution authorizing the township to obtain right of way and easements for the purpose of widening Whitehall Road. Mr. Heinsohn seconded the motion.

Mr. Heinsohn asked who from the township will contact the property owner. Mr. Modricker said he will be the primary contact person. Appraiser Chris Aumiller is currently working on this project, setting a price and then a letter will be sent to the property owner. Dave Modricker will set up the closing at the Township office. Right of way and easement documents will be prepared with the help of Interstate Acquisition Services.

Mr. Keough asked how the time is established for the appraiser to visit a property , so the property owner could be there when the appraiser comes to their property. Mr. Modricker said the initial letter states the resident can initiate contact with the appraiser if they choose and also meet with the appraiser if they choose.

Mr. Kunkle took a roll call vote of Resolution 2011-14. Mr. Heinsohn-YES; Mr. Keough-YES; Mr. Killian-YES-Mr. Miller-YES; Mr. Pytel-YES. The motion passed unanimously.

4. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ESTABLISHING TEMPORARY PARKING REGULATIONS ON PARK CREST LANE.

Mr. Kunkle reviewed the problem the State College Area School District (SCASD) bus is having when making pick up of students along Park Crest Lane. Dave Modricker met with the SCASD transportation director and they developed a plan to restrict parking from 7am to 9am and again from 2:30pm to 4:30pm Monday thru Friday enabling the school bus to back up safely. This is a temporary solution until a cul-de-sac at the end of the street can be improved. This resolution will enable a 90 day posting of the area in time for school to open. Then a final ordinance will be prepared and advertised for a public hearing. The signs would then remain permanently until the ordinance is later repealed.

Mr. Heinsohn made a motion to adopt the resolution for temporary parking regulations on Park Crest Lane. Mr. Miller seconded the motion.

Mr. Kunkle took a roll call vote of Resolution 2011-15. Mr. Heinsohn-YES; Mr. Keough-YES; Mr. Killian-YES-Mr. Miller-YES; Mr. Pytel-YES. The motion passed unanimously.

5. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE FERGUSON TOWNSHIP NON-UNIFORM PERSONNEL POLICY AND UPDATING A POLICY REGARDING THE USE OF VOICEMAIL, INTERNET, E-MAIL AND TEXT MESSAGING FOR ALL TOWNSHIP EMPLOYEES.

This policy had recently been reviewed and at that time it was noticed that text messaging was not included in the technology items listed. This resolution is just to add text messaging to the technology cited in the policy.

Mr. Miller made a motion to amend the Ferguson Township Non-Uniform Personnel Policy. Mr. Heinsohn seconded the motion.

Mr. Kunkle took a roll call vote of Resolution 2011-16. Mr. Heinsohn-YES; Mr. Keough-YES; Mr. Killian-YES; Mr. Miller-YES; Mr. Pytel-YES. The motion passed unanimously.

IV. COMMUNICATIONS TO THE BOARD

Mr. Keough had some phone calls about the Westfield Park and he attended the open house for Centre County Farm Bureau at the Ron Wasson farm.

V. ACTION ITEMS

1. Young Scholars of Pennsylvania Final Land Development Plan

Ms. Lang said this is a plan to add classrooms and labs to the second floor of the existing building. The Planning Commission reviewed this at their last meeting August 8 and forwarded it to the Board for their consideration. Joe Gherardi is here representing the school to take questions. Mr. Kunkle asked if the man made wetlands are shown on the plan sheet. Ms. Lang said she doesn't see it on the plan, but has been told it was installed.

Mr. Keough made a motion to approve the Young Scholars of Pennsylvania Final Land Development Plan subject to the completion of the conditions set forth in the Director of Planning and Zoning's Memo dated August 10th, and with the addition of showing the wetlands plan. Mr. Heinsohn seconded the motion. The motion passed unanimously.

2. Review and Comment of COG 2012 Program Plan Budget

Mr. Kunkle said the Board has had the COG 2012 Program Plan budget for several weeks to review and he prepared a memorandum based upon the Boards comments given to him at an earlier date.

The first item of discussion was the acquisition of software to replace the current GeoPlan software that manages zoning and planning data. Mr. Keough discussed the differences between Citizen Serve software and the ERP that State College Borough is considering. He said the Citizen Serve would probably meet the needs we have for a shared regional system but, the Borough has a greater need than just the Citizen Serve package provides. It is unclear if the two systems will be able to communicate adequately. It seems clear that we have to have a compatible region wide system that can be managed by the Code agency. The software people said they can make it work, but there has been no proof of that. If the Borough system is chosen they would own and manage the system and contract its use out to the townships and COG. If the Citizen Serve system is chosen COG would manage the system for the townships and the Code agency. Mr. Keough said he favors the CitizenServe system because then it will be a regional system. Citizen Serve is web-based software which would not be housed at any one location. The Borough system would be much larger and include more different functions including accounting, human resources, etc.

Mr. Pytel said the Ferguson Township current system is outdated and we need to make a choice now. Mr. Pytel said the Board should go ahead and approve the Citizen Serve system.

Mr. Miller said we have to make sure we use the same system as the regional code office.

Mr. Keough said the zoning and codes planning package provided by Citizen Serve suits our needs, but the Borough has bigger needs for accounting packages etc. and is also concerned about security on the web.

Mr. Pytel said all the other townships felt the Citizen Serve is acceptable.

Mr. Kunkle said the township funds have already been appropriated for the new software and recommended the Board authorize the staff to move forward with the Citizen Serve software purchase, get the staff trained and have Citizen Serve in use by January 1, 2012. All of the Board members agreed.

Mr. Kunkle will write and bring an action item to purchase and start using Citizen Serve to the Board meeting September 6.

COG has a medical reserve fund due to good experience with claims. Mr. Kunkle recommends it be used to help buffer both the employee and COG's future increases in insurance premiums.

Mr. Kunkle said the COG Emergency Management department has proposed using emergency contingency funding for a full activation training program. The proposal is to participate with Penn State who would pay half the needed funds and the municipalities pay the remainder. The township could possibly reallocate to this purpose the emergency contingency fund that has already been put aside. The Emergency Management department is looking into certifying code inspectors as damage assessment team members. Code inspectors might be easily trained as they are familiar with construction costs.

Mr. Kunkle said commercial recycling needs to be strengthened in the region. Commercial compliance is currently low and the townships are mandated by the state to require both residential and commercial recycling activities. COG is considering adding a part-time person to assist with this purpose. Mr. Kunkle suggested using some of the recycling rebate grant funding for this.

Mr. Heinsohn is opposed to adding another part time employee for this purpose as it is a health issue and an economic issue and can be dealt with through these areas.

Mr. Miller said the rebate income from the Solid Waste Authority would increase if more recycling was collected and that money could go to pay an employee. Some recycling programs instituted at parks and pools need funding. Mr. Kunkle suggested the cost for this funding should be part of the operating budget.

Mr. Keough suggests that the vehicle purchases in the COG CIP should not be set only by time used, but by the wear on the equipment or remaining useful life. Review of the condition of the vehicle should be done before purchasing a replacement.

Mr. Pytel doesn't see the need for 4 wheel drive vehicles for the employees.

Mr. Kunkle said the Centre Region Planning Agency has a balance fund remaining. He asked how should that balance be utilized, should it be returned to the municipalities. The fund is composed of two sources, local planning and regional planning revenues. The fund balance needs to be delineated in some fashion. Ferguson should benefit if the fund is from moneys paid for regional planning only as we paid into that fund.

The capital budget contains a request to upgrade The Fire Administrator position from part-time to full time. Mr. Pytel would like to see the job description written as needed and not specifically for the part time person who is now in the job. Mr. Heinsohn said he served on the committee that prepared the job description and that has been completed.

The Parks and Recreation Department has proposed that an additional person will be needed for park maintenance to maintain the new parks that will be coming online.

Mr. Kunkle suggested that the Parks and Recreation Department look into contracting for these services. Mr. Heinsohn and Mr. Pytel agreed. Mr. Kunkle also said a Parks and Recreation maintenance building is being planned and several locations have been looked at for a new building or expansion.

Mr. Miller said they should build on property already owned by COG since there is space available.

Mr. Pytel said he would like to see a building plan of what they need, not what they want.

Mr. Killian commented on the funding of this project; the building should be paid for with the existing fund balance, and should be prioritized within the other parks projects being planned.

Mr. Keough said there should be discussion about the potential need for reorganizing the whole department with the addition of the new parks which can generate income.

Mr. Kunkle said the type of pension changes for personnel hired after January 1, 2012 should be changed from a defined benefit to a defined contribution plan and further this change should be applicable for Library personnel to bring it in line with all other employees. Mr. Pytel agreed. Mr. Kunkle said COG is currently contracting for all finance services and maybe COG should evaluate whether or not they should do this for themselves.

Mr. Kunkle said the comments discussed at this meeting will be presented to COG.

3. Trick or Treat Night

Based upon recommendations from the Centre Region Police Chiefs and the Centre Region Parks and Recreation Director Ferguson Township designates Monday, October 31, 2011 between the hours of 6:00 pm and 8:00 PM as Trick-or-Treat night.

4. July 2011 Voucher's Report

Mr. Killian made a motion to approve the July 2011 Voucher Report. Mr. Heinsohn seconded the motion. The motion passed unanimously.

5. Consent Agenda

Mr. Killian made a motion to approve the Consent agenda, including the July 2011 Treasurer's report. Mr. Miller seconded the motion. The motion passed unanimously.

VI. REPORTS

1. Manager – Mark Kunkle

Mr. Kunkle said there are several upcoming agenda items for the September 6 meeting, including a DRI Request from Harris Township, Building Code Amendment Ordinance and authorization to proceed with Citizen Serve software purchase and implementation.

An executive session regarding land acquisition will follow tonight's meeting.

2. Public Works Director – David Modricker

Mr. Modricker reviewed the status of ongoing road projects in the Township, maintenance projects and tree planting opportunities.

Mr. Pytel asked if the completion of the Old Gatesburg road extension will be delayed. Mr. Modricker said yes but it will still be completed this year.

3. Planning and Zoning Director – Trisha Lang

At the last meeting the Young Scholars Charter School land development plan was discussed. Component 4A of the DEP planning module process was discussed and will later be brought before the Board.

Harris Township has a DRI request which will go to the CRPC meeting in September as this is a regional issue, but the townships have been requested to give input. The discussion will be continued at the next Planning commission meeting on Aug. 22.

RA/RR zoning discussion continued, but there has not been any decision about changing the zoning. Mr. Keough said it may help to get expertise from the PA Farm bureau, County Ag extension and others who can provide information about where farming is going. Ms. Lang said the Planning Commission will continue to work on this.

Mr. Heinsohn asked about the traffic calming plan. Ms. Lang said it has been passed on to the Public Works Department.

4. Chief of Police – Diane Conrad

Part One Crime is down almost one half from same month last year. But year to date is up a little bit. Most of the crimes are thefts, but burglaries are down.

Part Two Crime is also down from one year ago, including vandalism DUI's and disorderly conduct. The only thing up is frauds and public drunkenness.

Ms. Conrad attended the Pennsylvania police conference last month and found it very informative. Ag Progress Days emergency plan is underway and everything is running smoothly.

5. COG Committee Reports

Parks Capital Committee – Bill Keough

The committee recommended to the Parks and Recreation Authority contract with Pashek Associates as the design firm for the next phase of the Oak Hall and Whitehall Road Parks. The professional services fee will be 6% of the estimated construction cost which is a very good rate, considering the going rate of 10-12%. However, change orders to the design could raise the cost.

At Oak Hall Park there is a problem with the riparian buffer and permitting through DEP for the design of the entrance road affecting Spring Creek. A DEP special request application will be submitted and this is expected to delay the construction by 6 months.

CALENDAR ITEMS – AUGUST/SEPTEMBER

VII. MINUTES

August 1, 2011 BOS Regular Meeting Minutes

Mr. Pytel noted his name was not on the list of those in attendance and to please correct this in the minutes.

Mr. Heinsohn made a motion to approve the August 1, 2011 BOS Regular Meeting Minutes as amended. Mr. Killian seconded the motion. The motion passed unanimously.

VIII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Mr. Pytel adjourned the August 15, 2011 Regular Meeting at 9:35 pm.

RESPECTFULLY SUBMITTED,

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 09/06/2011