

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, January 3, 2011
7:26 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the year on Monday, January 3, 2011 at the Ferguson Township Municipal Building. In attendance were:

Board: George Pytel, Chairman
Steve Miller, Vice Chairman
Richard Killian
Robert Heinsohn
Bill Keough

Staff: Mark Kunkle, Township Manager

Others in attendance included: Marsha Buchanan, Recording Secretary; Bill Hechinger and Pam Steckler, 127 Hoy Street; Rita Wasson, 1451 Ash Avenue; and Mike Joseph.

II. CALL TO ORDER

Mr. Pytel, Chairman, called the January 3, 2011 Regular Meeting to order at 7:26 pm.

III. CITIZEN'S INPUT

Pam Steckler, 127 Hoy Street, spoke on behalf of the Protect our Neighborhood Coalition. They were told many times that the Design Guidelines were integral to the ordinance itself. However, the guidelines were removed from the main part of the ordinance and placed in Chapter 22. She expressed concern that this was not discussed with citizens. The standards and criteria for lighting, signage, etc. are not addressed in this ordinance but will be codified in Chapter 22. They feel this is inadequate and inappropriate. She asked where the final content of the guidelines can be found, and whether the public would be able to comment on them before the Board votes on the ordinance.

Mr. Kunkle said if items are included in the Design Guidelines, then they will not be included in the sign ordinance provisions of the Code of Ordinances. He noted that the Design Guidelines will be on the Township web site later this week. He said the zoning district and zoning provisions will be included in Chapter 27 of the zoning ordinance. But issues with regard to the Design Guidelines deal with the streetscape itself. Those items will be included in Chapter 22. A developer would have to prove to the Board that meeting those Design Guidelines is not feasible if they wish to request a modification of the criteria for the design.

Mr. Heinsohn explained that guidelines can be modified in the future. Ms. Steckler said the guidelines are no longer even mentioned in the ordinance. Mr. Miller said that was discussed in a meeting, but they spoke of the chapters as "Zoning Ordinance" and "Subdivision Ordinance" rather than referring to the specific chapter numbers. The Design Guidelines will exist as they have in the past, but within Chapter 22.

Mr. Kunkle said Ms. Steckler and Mr. Hechinger will be notified prior to the public hearing for the proposed TSS district. Ms. Steckler asked if properties adjacent to the zone will be alerted to changes. Mr. Kunkle said no only properties within the new zoning district.

Ms. Steckler asked if the Board can vote on this immediately following the public hearing on the same night. The Board said yes. Mr. Keough said the only way it could not be voted upon is if the Board enacted a substantive change at that meeting. Mr. Kunkle said the Board could table the ordinance to another meeting, no more than 30 days after the original public hearing; they could make changes to the

ordinance, in which case it would have to be re-advertised; or they could vote the ordinance up or down as published. Mr. Heinsohn suggested having the Township Solicitor attend that meeting in order to determine for the Board whether changes made are considered substantive or not.

Ms. Steckler inquired about the procedure to get on the agenda at a public hearing. The Board said public input will be welcome. Mr. Kunkle said this meeting will either take place on February 7th or 22nd, 2011.

Ms. Steckler said within the final draft ordinance, she had presented a suggested intent to “create a safe, quiet, and revitalized area.” She said consensus was reached to include this in the final draft, but it is not there. Mr. Killian suggested reviewing the minutes from Ms. Steckler's previous presentation.

Ms. Steckler urged the Board, before voting on the proposed TSS district ordinance, to put themselves in the place of area residents.

Bill Hechinger, 127 Hoy Street, suggested that the Board start thinking about the following changes before the public hearing takes place:

- There will be a lot of land-locked properties. Chapter 22 does not allow for any kind of development, subdivision, etc. to land-lock someone's property. He provided examples of properties with no side or rear access, given the provisions in the proposed ordinance.
- They should allow for some kind of curb cuts. This will necessitate setbacks. There are other large apartments in State College that have up to 50 foot setbacks. They all have some kind of access for dropping people off, as well as temporary parking. In the ordinance there is nothing that talks about 15 minute parking on Township right of way or temporary parking provided by the developer.
- The idea of very high density student apartments concerns him.
- A developed property can have parking for residents up to 1,320 feet away. That is nearly the distance from Corl Street all the way to the Borough boundary, which is quite far for people to walk. There needs to be a closer place to park. There should be more room around the front of these buildings for parking accommodations to be provided by businesses.

Mr. Heinsohn said they have worked hard to include in this ordinance resident, 24/7 management in these buildings. This should address the concern of high density student housing.

Mr. Pytel briefly explained the Board's point of view regarding the proposed TSS district.

IV. COMMUNICATIONS TO THE BOARD

Mr. Keough has had several inquiries in terms of the timeline being enacted for the proposed TSS district ordinance.

V. ACTION ITEMS

1. REPORT ON 2011 TOWNSHIP INSURANCE COVERAGE

Mr. Kunkle reported that during the past three months he and the Finance Director, Eric Endresen, completed a Request for Proposals to engage a broker for the Township's insurance coverage. Over the past eight years, the Township has not used an insurance broker and has gone “direct” with PennPRIME

Insurance Trust, thereby avoiding a 6% commission on the premium. With the “soft” insurance market they thought it wise to investigate other insurance providers to see if the Township was obtaining the most competitive coverage at the least cost.

After careful consideration, they selected The Hartman Group and Tom McKee to broker the insurance needs to any qualified (A rated or higher A.M. Best) insurance company, except PennPRIME, which they wanted to retain going direct. Quotes were sought and obtained, analyzed, and presented by Mr. McKee. In the final analysis, PennPRIME provided the most cost effective quote by virtue of their long-standing relationship and excellent loss ratios. The total cost savings is \$26,359. Staff has executed the coverage acceptance forms to bind coverage as of January 1, 2011.

2. CONSENT AGENDA

A. Surety Reductions

1. Landings Phase 5
2. Foxpointe Phase 7
3. Hunters Chase Phase 7

B. Pay Estimates

1. Covey Tree, Inc. Final Pay Estimate Contract 2010-C16 - \$9,423.00
2. Landscape II – Contracts 2010-C13A and 2010-C13B - \$7,905.00
3. Alpha Space Control – Contract 2010-C8 - \$168.50

C. Time Extension

1. Blue Course Medical Building Specific Implementation Plan Time Extension Grant

Mr. Kunkle provided further information on the time extension.

Mr. Killian made a motion to approve the Consent Agenda. Mr. Heinsohn seconded the motion. The motion passed unanimously.

VI. REPORTS

There were no reports for this meeting.

Ms. Steckler noted that “live in” is not part of the language for full-time management in the proposed TSS district. Mr. Killian said “24/7” can be handled in various ways, but whoever develops the property will be able to come up with the most appropriate solution.

VII. MINUTES

- a. December 6, 2010 BOS Regular Meeting Minutes

Mr. Miller made a motion to approve the December 6, 2010 BOS Regular Meeting minutes. Mr. Killian seconded the motion. The motion passed unanimously.

- b. December 13, 2010 BOS Regular Meeting Minutes

Mr. Miller made a motion to approve the December 13, 2010 BOS Regular Meeting minutes. Mr. Heinsohn seconded the motion. The motion passed unanimously.

VIII. ADJOURNMENT

With no further business to come before the Board of Supervisors, Mr. Pytel adjourned the January 3, 2011 Regular Meeting at 8:03 pm.

RESPECTFULLY SUBMITTED,

Mark Kunkle, Township Manager
For the Board of Supervisors

Date approved by the Board: 01/17/2011