

## FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting  
Monday, June 17, 2019  
7:00 PM

### I. ATTENDANCE

The Board of Supervisors held its second regular meeting of the month on Monday, June 17, 2019, at the Ferguson Township Municipal Building. In attendance were:

**Board:** Steve Miller  
Richard Killian  
Peter Buckland  
Laura Dininni

**Staff:** Dave Pribulka, Township Manager  
Lindsay Schoch, Community Planner  
Dave Modricker, Public Works Director  
Chris Albright, Chief of Police

*Others in attendance included:* Faith Norris, Recording Secretary; Judge Katie Oliver; Lisa Strickland; Wes Glebe; Elizabeth Treadway, Wood; Donald Bainbridge; Michelle Spiering; Lou Prato; Missy Schoonover; Robin Homer; Ford Stryker; S. Chambers; Jeremie Thompson; Martha Hummel; Morgen Hummel.

### II. CALL TO ORDER

Mr. Miller called the Monday, June 17, 2019, regular meeting to order at 7:00 p.m.

### III. APPOINTMENT OF AT-LARGE SUPERVISOR

Mr. Miller opened the floor for nominations for the At-Large Supervisor position. He noted the Board members had interviewed a number of qualified applicants in scheduled worksessions.

Ms. Dininni nominated Lisa Strickland. No other nominations were made.

Roll Call vote: Mr. Buckland – YES; Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES.

Ms. Strickland was sworn in by Judge Oliver.

### IV. CITIZENS INPUT

Mr. Glebe voiced his concern for the Pine Hall habitat on possible rodent issues in relation to acreage cleared near his property that had those types of issues.

### V. SPECIAL REPORTS

1. State College Borough Water Authority. Mr. Glebe stated that he did not attend the Authority's last meeting. He reported that Mr. Peterson had spoken on the topic of adding fluoride to water; discussion on a comprehensive water production monitoring program; update on meters replaced; and One Water Plan update. The Water Quality Report is complete and available on the Authority's website.
2. Stormwater Fee Feasibility Study Phase II. Ms. Treadway presented an overview and history of Phase I and future steps for Phase II. A full slide presentation was provided in the packet. Strategies were discussed along with cost estimations, user fee methodologies and a GIS data update. Target date for review is fall 2019. Critical issues were discussed that the advisory committee will be working on, i.e., private system serving a public purpose.

Discussion followed on neighborhood classifications, stormwater requirements and fee assessments. The advisory committee will be discussing service areas. A Board member voiced concern with stormwater management related to mitigation. Mr. Pribulka thanked the Township's GIS staff Ms. Aneckstein and Mr. Progar for the work they did on developing the impervious layer map.

Ms. Spiering, representing the Golden Orchard Condo Association, expressed concern about the timing of the fee implementation.

VI. **APPROVAL OF MINUTES**

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of May 20, 2019. Mr. Buckland seconded the motion. The motion passed 4 to 0.

VII. **UNFINISHED BUSINESS**

a. CONTINUED DISCUSSION – RUSHCLIFFE STREET PARKING CONCERNS

Mr. Miller reviewed the item's tabled motion from the previous Board meeting. The motion does not apply to what the Board wants to accomplish. Mr. Miller asked for a motion to table this item.

Mr. Killian moved that the Board of Supervisors postpone the tabled motion infinitely. Mr. Buckland seconded the motion. The motion passed 4 to 0.

Mr. Pribulka reviewed the history of the parking concerns and the outcome of the staff field view and meeting with community members. The favored option from the residents of Rushcliffe was to designate the street one-way from Circleville Road to Havershire Boulevard and prohibit parking on the inner side of the street. Staff reviewed concerns they had with that option, and discussed the analysis associated with a one-way street designation. Staff reviewed other available options, as well.

Mr. Buckland moved that the Board of Supervisors **direct** staff to do a study to see if Rushcliffe Street meets one-way warrants. Ms. Dininni seconded the motion. The motion passed 3 to 2 with Messrs. Killian and Miller dissenting.

Mr. Buckland moved that the Board of Supervisors **direct** staff to continue to engage with the homeowners association for on-street parking solutions. Ms. Dininni seconded the motion. The motion passed unanimously.

Mr. Miller called for a five minute recess.

b. HUMMEL SUBDIVISION PLAN DATE JUNE 10, 2019

Ms. Schoch reviewed the history of the plan and the administrative comments that were provided.

Mr. Buckland moved that the Board of Supervisors **approve** the Hummel Subdivision Plan dated June 10, 2019, subject to the remaining conditions as outlined in the Interim Director of Planning and Zoning memorandum dated June 12, 2019. Mr. Killian seconded the motion. The motion passed 4 to 0.

VIII. **NEW BUSINESS**

1. CONSENT AGENDA

- a. Treasurer's Reports for March and April
- b. Voucher Reports for April and May
- c. 2018-C5 Pay Application #2 – Chestnut Ridge Pipe & Road CMP Lining: \$236,917.50
- d. 2019-C6 Pay Application #2 – Curb & Ramp Upgrades: \$49,082.15
- e. 2019-C8 Pay Application #1 – Pavement Markings: \$34,301.53
- f. 2019-C31 Pay Application – NexGen: \$23,000.00
- g. Public Works Maintenance Facility – Recording Extension Request

Mr. Killian moved that the Board of Supervisors **approve** the Consent Agenda with the acceptance of the Treasurer's Report. Mr. Buckland seconded the motion. The motion passed 4 to 0.

It was clarified that the Board cannot approve a Treasurer's Report and that it needs accepted. The Board of Supervisors unanimously accepted the Treasurer's reports for March and April 2019.

2. PUBLIC HEARING ON A RESOLUTION FOR A SETTLEMENT AGREEMENT WITH COMCAST FOR FRANCHISE FEE PAYMENTS DUE TO THE TOWNSHIP

Mr. Pribulka presented the topic for the Board's consideration as provided with the agenda.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution approving a settlement agreement with Comcast of Colorado/Pennsylvania/West Virginia, LLC for franchise fee payments due to the Township. Mr. Buckland seconded the motion.

Roll Call vote: Mr. Buckland – YES; Ms. Dininni – YES; Mr. Killian – YES; Ms. Strickland – YES; Mr. Miller – YES.

3. ZONING APPEALS/REQUESTS FOR VARIANCE

Mr. Miller briefly reviewed the zoning appeals/variance processes for the Board's new member.

a. Request for Variance – 331 Selders Circle, Tax Parcel 24-09A-304

Ms. Schoch reviewed the request to extend the sitting/dining room area. The property is located in the R-1 Zoning District.

Ms. Dininni moved that the Board of Supervisors **remain neutral** on the request for variance for 331 Selders Circle. Mr. Killian seconded the motion. The motion passed 4 to 0.

b. Request for Variance – 211 West North Hills Place, Tax Parcel 24-12-026

Ms. Schoch reviewed the history and the request to change the use of office space and keep existing parking at 6 stalls. Parking requirement history was reviewed and per the regulations if use is changed, parking requirements change back to 11 stalls that had been changed to 6 off-street stalls in 1991. The property is located in the General Commercial Zoning District.

Mr. Killian moved that the Board of Supervisors **remain neutral** on the request for variance for 211 West North Hills Place. Ms. Strickland seconded the motion.

Clarification was made on the professional use change from Real Estate Appraisal Brokerage to Financial Analyst and Advisor. Noted was a suggestion to make these two use categories the same in the SALDO due to similarity if doing revisions. The motion passed 4 to 0.

c. Request for Variance – 200 Jackson Trail, 24-007-500-0003

Ms. Schoch reviewed the request to remove the existing Telecommunications Tower and replace with a "nearly identical" facility. The request is to construct a lattice tower in lieu of a monopole tower and relief from setbacks from the property line to the south. The property is located in the Forest/Gameland Zoning District.

Mr. Buckland moved that the Board of Supervisors **remain neutral** on the request for variance for 200 Jackson Trail. Mr. Miller seconded the motion. The motion passed 4 to 0.

4. TRAFFIC CALMING REQUEST – WEST AARON DRIVE

Mr. Modricker reviewed the request and the petition.

Discussion followed on the policy and concerns about pedestrian safety. Sidewalks were discussed as part of the study as an alternative.

Mr. Buckland moved that the Board of Supervisors **forward** the request for a traffic calming study on West Aaron Drive to the Public Works Director for action. Ms. Dininni seconded the motion.

In response to the topic of pedestrian safety and sidewalks, a Board member noted comments from previous experience with residents' concerns for no sidewalks, streetlights or bypasses in their area.

The motion passed unanimously.

Mr. Buckland moved that the Board of Supervisors **forward** the request for a sidewalk study on West Aaron Drive to the Public Works Director for action. Mr. Modricker clarified the process and recommendations to the Board. Mr. Buckland withdrew the motion.

Mr. Pribulka discussed how past practices can apply to this project.

#### 5. TRAFFIC CALMING REQUEST – HAWKNEST ROAD

Mr. Modricker reviewed the request, petition and eligibility for traffic calming for speed control. The policy was included with the agenda. Chief Albright noted that one school bus violation was reported in the area in the last year and a half. Data was reviewed from the radar sign that noted one vehicle traveling over 30 MPH in the area.

Mr. Killian moved that the Board of Supervisors **forward** the request for a traffic calming study on Hawknest Road to the Public Works Director for action. Mr. Miller seconded the motion. Discussion followed on clocked speed and data collection efforts. The motion passed unanimously.

#### 6. AUTHORIZATION FOR AUTOMATED RED LIGHT ENFORCEMENT GRANT APPLICATION TO UPGRADE CERTAIN TRAFFIC SIGNALS WITH DIGITAL RADAR DETECTION TECHNOLOGY

Mr. Pribulka introduced the item as provided with the agenda. Noted, new guidelines do not require a local match; however, Mr. Pribulka recommended local match to increase the probability of securing the grant.

Mr. Buckland moved that the Board of Supervisors **authorize** the submission of an Automated Red Light Enforcement Grant application to upgrade the traffic signals at the intersections of Blue Course Drive and Martin Street; Blue Course Drive and Old Gatesburg Road; and Science Park Road and Circleville Road. Mr. Killian seconded the motion.

Mr. Seybert clarified the upgrades are needed due to some newer intersections that still rely on video detection that give false calls and the need for upgraded communication technology for reliability and safety for traffic and bicycle detection. Noted, was that the upgrades are half way through completion either by the Green Light-Go Program or by PA Department of Transportation for the North Atherton Street Drainage Project.

The motion passed unanimously.

#### 7. COG / REGIONAL COMMITTEE APPOINTMENTS

Mr. Miller introduced the appointments for nominations as provided with the agenda. Mr. Miller noted he would be willing to accept an appointment to the Centre Area Cable Consortium, unless there were other nominations. The floor opened for nominations for the Cable Consortium, COG Human Resources Committee, COG Transportation and Land Use Committee, and MPO Coordinating Committee.

Mr. Miller moved that the Board of Supervisors **appoint** Steve Miller to the Centre Area Cable Consortium. Mr. Buckland seconded the motion. The motion passed unanimously.

Ms. Dininni moved that the Board of Supervisors **appoint** Richard Killian to the COG Human Resources Committee. Mr. Buckland seconded the motion. The motion passed unanimously.

Ms. Dininni moved that the Board of Supervisors **appoint** Lisa Strickland to the COG Transportation and Land Use Committee. Mr. Buckland seconded the motion. The motion passed unanimously.

Ms. Dininni moved that the Board of Supervisors **appoint** Lisa Strickland to the MPO Coordinating Committee. Mr. Buckland seconded the motion. The motion passed unanimously.

No other motions were made.

Mr. Pribulka noted that Ron Seybert is the Township's representative on the MPO Technical Committee for any questions Ms. Strickland may have for the MPO committees.

8. APPOINTMENT OF FERGUSON TOWNSHIP REPRESENTATIVE ON THE RECRUITMENT SCREENING COMMITTEE FOR THE NEW EXECUTIVE DIRECTOR OF THE CENTRE REGION COUNCIL OF GOVERNMENTS

Mr. Miller introduced the item that requests a representative to serve on the COG Executive Director Recruitment Screening Committee. The motion was passed at the General Forum on May 28<sup>th</sup> and the deadline to forward appointments to the Executive Committee is June 18<sup>th</sup>. The appointment can be an elected official or manager from a local municipality and Jim Steff is noted as being a non-voting member. Mr. Miller recommended Dave Pribulka.

Ms. Dininni moved that the Board of Supervisors **appoint** Dave Pribulka to serve on the Recruitment Screening Committee for the new Executive Director of the Centre Region Council of Governments. Mr. Buckland seconded the motion. The motion passed unanimously.

No other motions were made.

**VIII. STAFF AND COMMITTEE REPORTS**

Mr. Buckland announced that this meeting was his last Board meeting and that he will be stepping down to spend more time with his family. He noted appreciation for his time served on the Ferguson Township Board of Supervisors for issues that matter and noted accomplishments and good governance. He noted appreciation for the Board and Ferguson staff in their willingness to listen to our citizens and making Ferguson Township a great place to live. Mr. Buckland was thanked for his 3 ½ years of service on the Board of Supervisors.

a. COG COMMITTEE REPORTS

1. Executive Committee. Mr. Miller noted the agenda was provided in the packet and the committee meets tomorrow.
2. Ad Hoc Facilities Committee. Mr. Endresen attended in Mr. Buckland's place. Mr. Buckland noted there was discussion of relocation of the Parks office and continued discussion of a facilities manual. Mr. Buckland noted to direct any questions on meeting particulars to Mr. Endresen.

Ms. Dininni discussed the Parks & Recreation Comprehensive Plan Steering Committee's interest with the relocation of the Parks office due to its involvement with the future direction of that agency. She encouraged inclusion of the Steering Committee with the Facilities Committee on this topic.

3. Human Resources Committee. Mr. Killian reported details on the recommendation to not change the meeting etiquette guidelines and a draft is forthcoming at the next Forum meeting.

4. Public Services & Environmental Committee. Mr. Buckland noted the agenda was provided in the packet. Refuse and Recycling bid is forthcoming; and new item was a proposal to form a Climate Action Advisory Group to support Pam Adams in her new role as the Sustainability Planner and in her purview will be creation of a Climate Action Plan.
5. Public Safety Committee. Ms. Dininni reported the committee met on June 11<sup>th</sup> at 12:00 p.m. The report included review of program plan code changes; vehicle request; fire protection study request; Emergency Management - funding request for part-time deputy coordinator. The next meeting will be on July 9<sup>th</sup> at 12:15 p.m.
6. Finance Committee. Mr. Killian reported on library parking issues regarding parking and recommendations; and working on new office space lease with move-in date of January 2020.

Ms. Dininni inquired about operational costs and programming operations on the senior center. Mr. Killian noted looking at relative costs, savings, and other options. Further discussion followed on a lease with a buy-out option and the Comprehensive Plan.

**b. OTHER REGIONAL REPORTS**

1. Spring Creek Watershed Commission. Mr. Buckland noted there was no meeting this month. The next meeting will be in July.
2. Ad Hoc Steering Committee – Parks & Recreation Regional Comp Plan. Ms. Dininni noted that there was a fire safety meeting. The committee met on June 4<sup>th</sup> and received a presentation on the online survey results and Parks tour; mailed survey results will be compiled for the next meeting in August; update on Parks committees' municipalities' input for future planning at centre region. Ms. Dininni spoke on consistency of results with previous parks surveys; consultant presentation on parks' accessibility with priority on shade and trees among other topics noted.

Ms. Dininni reported that both Chief (Albright) and herself attended the fire safety meeting on June 6<sup>th</sup> at the Alpha Fire Company. Input was received from elected officials on the scope of the study and cost concerns. Details followed on other considerations, i.e., structural, department's strengths and weaknesses and details on feedback.

**c. STAFF REPORTS**

1. Township Manager. Mr. Pribulka report was in the packet. He noted that the Township's Zoning Administrator, Jeff Ressler, had completed recertification on Playground Safety. The Industrial & Commercial Development Authority Report is complete with no findings or irregularities. Mr. Pribulka spoke about the Township's sustainability initiatives at the PA Municipal League Sustainability Conference held on June 11<sup>th</sup> in State College. June 10<sup>th</sup> was the Township's Parks & Recreation Committee Meeting with noted topics; Discovery Space letter thanking the Township for its monetary support over the past three years. A letter was received from Centre Region Parks & Recreation on fund raising efforts for LED sports field lighting at the future site of the Whitehall Road Regional Park (WRRP). The Township has received a submittal of the Land Development Plan for WRRP that will be reviewed by the Planning Commission and Board, respectively.
2. Interim Planning and Zoning Director. Ms. Schoch reported the Planning Commission will have an initial review of the WRRP Land Development Plan (LDP) at the June 24<sup>th</sup> meeting. Orchard View LDP is still under review; Sheetz and Harner Farm subdivision plans are with Penn Terra; Hummel Subdivision was approved at tonight's Board meeting; working through the Pine Hall TTD agreements and transportation mitigations; the Township's Public Works Building LDP has been conditional approved and working on recording date following the time extension that was approved at tonight's Board meeting; pre-application conference for Hillside Farm Estates Master

Plan and a recent request for a pre-application conference for the Waters group proposed development that will be on an upcoming Planning Commission Meeting. Zoning Hearing Board update and advertisement for Planning & Zoning Director position. Update on a recent SALDO worksession, concurrent meetings and processes. Permit Activity Report was included with the agenda packet.

3. Public Works Director. Mr. Modricker noted the update for the Public Works Maintenance Facility (PWMF) and thanked Mr. Buckland for his leadership on the project. As noted above in the Special Reports – Storm Water Fee Study Phase 2 - next SAC meeting is July 17<sup>th</sup>; Tree Commission Meeting update on topics discussed: PWMF LDP review process, potential tree ordinance; and Pine Hall development. Current activates update on maintenance as provided with the agenda packet.
4. Chief of Police. Chief Albright reported activity for May 2019 and year-to-date. Part 1 Crimes spiked in May due primarily to burglaries; Part 2 Crimes are up a little but overall down for the year; overall calls for service are down for the year; drug take back program is picking up with 172 lbs. to-date. Department highlights, active investigations and Community Relations reviewed.

Mr. Buckland thanked the Ferguson Township Police Department for the effective use of Twitter and noted a specific tweet. Chief Albright noted that Diana Griffith posts the information to their Twitter page.

#### **IX. COMMUNICATIONS TO THE BOARD**

Ms. Dininni noted an article brought to her attention while attending the Small Area Plan meeting. This was in regards to the identity branding hire in relation to possibly contributing to branding in the community.

#### **X. CALENDAR ITEMS**

- a. Ferguson Township Administrative offices closed Thursday, July 4<sup>th</sup> for the holiday
- b. Coffee & Conversation, Naked Egg Café, 8:00 – 9:30 a.m., Friday, July 19<sup>th</sup>, 320 Pine Grove Rd.

#### **XI. ADJOURNMENT**

Mr. Miller called for adjournment. With no further business to come before the before the Board of Supervisors, Mr. Killian motioned to adjourn the meeting. The meeting adjourned at 10:00 p.m.

Respectfully submitted,



David Pribulka, Township Manager  
For the Board of Supervisors

Date approved by the Board: 07-01-2019