

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Tuesday, June 6, 2023

ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Tuesday, June 6, 2023 as a hybrid meeting. In attendance were:

Board: Lisa Strickland, Chair
Patti Stephens, Vice Chair
Laura Dininni
Corey Gracie-Griffin
Jeremie Thompson

Staff: Centrice Martin, Township Manager
Jaymes Progar, Assistant Township Manager
Jenna Wargo, Director, Planning and Zoning
John Petrick, Chief of Police
Ron Seybert, Township Engineer
Aaron Jolin, Stormwater Engineer

Others in attendance included: Rhonda Demchak, Recording Secretary; Renee Hoover, Pine Grove Mills Farmers Market Manager; Rhonda Stern, Ferguson Township Resident; Ford Stryker, State College Borough Water Authority Representative; Walt Schneider, Centre Region Council of Governments, (CRCOG) Agency Director; Jim May, Director of the Centre Regional Planning Agency (CRPA)

I. CALL TO ORDER

Ms. Strickland called the Tuesday, June 6, 2023, regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ANNOUNCEMENTS

Ms. Martin thanked and welcomed everyone to the meeting and noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a hybrid meeting with an option to attend online utilizing zoom and the main meeting room for any public members to participant. Persons attending the meeting as members of the public and wanted to participate were asked to state their name, municipality, and topic. Members of the public are to be muted during the meeting and must be acknowledged by the Chair. Board members are asked to indicate their name when motioning or seconding a motion so that the minutes are accurate.

Ms. Martin took Roll Call and there was a quorum.

IV. CITIZENS INPUT

Renee Hoover, Pine Grove Mills Farmers Market Manager reported that the market will open on June 8th. Ms. Hoover thanked the Board for their continued support. There will be a variety of activities this season. Ms. Hoover noted that they need volunteers.

Ms. Rhonda Stern reported that she lives on Butz Street and asked the Board to maintain the agreement regarding the Houts Property not being utilized for purposes not consistent within the TSD guidelines.

Ms. Dininni reported on the [Pine Grove Mills Small Area Plan](#) and pointed out page 7 regarding Goal 7.0 regarding signage and discussed policy making.

V. APPROVAL OF MINUTES

1. May 15, 2023 – Board of Supervisors Regular Meeting Minutes

Ms. Stephens moved that the Board of Supervisors **approve** the regular meeting minutes of May 15, 2023. Ms. Dininni seconded the motion. The motion passed unanimously.

VI. AUTHORITIES, BOARDS, AND COMMISIONS REPORT

1. State College Borough Water Authority – written report

VII. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives and Acknowledgements – National Caribbean-American Heritage Month, Pride Month, Immigrant Heritage Month, Administrative Offices Closed for Juneteenth 6/19
2. Centre Region Council of Government (CRCOG) DEI Training by Patty Stephens and Jeremie Thompson

Ms. Stephens reported it was a great experience. Mr. Thompson noted that it was great to connect with members of the community.

3. Township and Fiscal Responsibility – no report.
4. Community and Economic Development – no report.
5. Environment – Annual Training on Ferguson Township's Municipal Separate Storm Sewer System (MS4) Presentation by Aaron Jolin

Mr. Jolin presented the annual report via a PowerPoint presentation that can be found on the Township's [website](#).

VIII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

- a. Executive Committee

Ms. Strickland reported that she did ask the Executive Committee to put on a future agenda about the Millbrook Marsh and it was well received. Ms. Strickland will send the Chair and the Executive Director a list of questions that the Board discussed. Ms. Dininni suggested adding a timeline for the funding.

- b. Parks and Recreation Governance Committee

Ms. Stephens reported that their meeting was cancelled this month, but there will be a worksession at the end of July.

- c. Land Use and Community Infrastructure Committee

Ms. Strickland reported that the agenda is included in the packet. Ms. Dininni suggested including the map of assets from parks in the comp plan process.

IX. STAFF REPORTS

a. Manager's Report

Ms. Martin stated that her report is included in the agenda packet.

b. Public Works Director Report

Mr. Modricker's report is included in the agenda packet.

Ms. Dininni discussed the double lines on Route 26 between the intersection of Whitehall Road and Route 26. Mr. Ron Seybert reported that PennDOT will be conducting a study.

c. Planning and Zoning Report

Ms. Wargo's report is included in the agenda packet.

Ms. Dininni asked about the devices that are on the ground. Mr. Modricker reported that the devices on the poles are robotic counters, counting cars. Mr. Seybert reported that the device records the number of cars and the type of vehicles.

X. UNFINISHED BUSINESS

a. Continued Discussion on Draft Update for Centre Region Rental Housing and Building Safety Code

Ms. Martin reported that continued discussion on Centre Region Code Administration proposed changes to the Centre Region Building Safety and Property Maintenance Code, 2017 edition (PM Code). Centre Region Code Administration conducted a participatory process with stakeholders to receive input for changes to the Code. Provided with the agenda is a copy of the changes in track changes. On May 2, 2023, Walt Schneider, Director of Centre Region Code Administration, provided an overview of the amendment to staff. The Board of Supervisors is asked to discuss the Code prior to the enactment tentatively scheduled for June. Mr. Schneider is in attendance to discuss the amendment with the Board. The Board is asked to continue the review of the code, provide feedback for additional information, and raise any questions regarding proposed amendments.

Mr. Walt Schneider, Centre Region Council of Governments, (CRCOG) Agency Director, noted that two things have changed since the Board saw it last. CRCOG projected what the Township might adopt and what might not be adopted and added 101.6 regarding Tenant Rights. Mr. Schneider reviewed 803.3 Tenant Notification #17 providing utility cost information.

Ms. Strickland suggested adding a definition for utility.

Ms. Stephens noted that she liked the document and agreed with Ms. Strickland regarding the definition.

Ms. Dininni discussed Visitability Section 317. Mr. Schneider reported that Type C Unit's are considered visible. It will provide someone with mobility issues to enter any door and be able to use a restroom.

Ms. Dininni moved that the Board of Supervisors **authorize** advertisement for a public hearing on an ordinance to enact the 2023 Edition Centre County Rental Housing and Building Safety Code. Ms. Stephens seconded the motion. The motion passed unanimously.

- b. Pine Grove Mills Parking Study Review Draft Ordinance Amendment Chapter 15, Part 4, Section 403, Section 404 & Section 406

Mr. Seybert stated that at the request of the Board of Supervisors and in accordance with the Pine Grove Mills Small Area Plan mobility study, the Township Engineer conducted a parking study on Pine Grove Road (which was extended to include South Nixon Road) and reviewed the draft study with the Board of Supervisors at the regular meeting on March 8, 2023. Staff conducted a review of existing parking restrictions in comparison to ordained parking restrictions. Staff also conducted site distance evaluations at road and driveway intersections. Based on feedback received at the March 8, 2023 meeting, the Township Engineer finalized the parking study and prepared a draft ordinance for consideration by the Board of Supervisors.

Mr. Seybert presented a PowerPoint presentation that was included in the agenda packet.

A discussion ensued regarding the Nixon Road parking spots not being painted.

Mr. Thompson moved that the Board of Supervisors **authorize** a Public Hearing on the Ordinance for revised parking regulations in Pine Grove Mills. Ms. Stephens seconded the motion. The motion passed unanimously.

XI. NEW BUSINESS

1. CONSENT AGENDA

- a. Donation Request for Route 45 Getaways Event
- b. Contract 2018-C20U TRU-TEK Drilling: \$235,328.69

Mr. Thompson moved that the Board of Supervisors **approve** the consent agenda. Ms. Stephens seconded the motion. The motion passed unanimously.

2. Public Hearing Resolution Naming Private Street

Ms. Wargo noted that provided with the agenda is a copy of the resolution approving the naming of Farmers Way as a private street. On August 23, 2021, the Zoning Administrator approved of a second single-family residential home to be built on tax parcel 24-007-,004-,0000-. This property is zoned Rural Agriculture (RA) and is 181.30 acres.

Resolution 2017-8 designates the Board of Supervisors as the authority to approve the naming of lanes, roads, and streets in the Township, adhering to the Centre County 9-1-1 Street and Road Naming Criteria, when two (2) or more structures are sharing a road.

Public Hearing – There were no comments and the hearing closed.

Mr. Thompson moved that the Board of Supervisors **adopt** the resolution approving the naming of Farmers Way as a private street in Ferguson Township. Ms. Stephens seconded the motion.

ROLL CALL: MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES; MS. STRICKLAND – YES

3. Public Hearing Resolution Prof Services Agreement w/KCI Tech Slab Cabin Run

Mr. Modricker stated at the regular meeting of the Board of Supervisors on April 18, 2023, the Board approved staff to solicit a RFP (request for proposals) for preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (a section of Slab Cabin and a section of Beaver Branch). The 2023 budget includes funding for this work in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies with significant stream restoration experience (HRG, Biohabitats, KCI Technology, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technology, Inc.). Staff evaluated the proposals based on certain criteria.

Public Hearing – There we no comments and the hearing closed.

Ms. Stephens moved that the Board of Supervisors **authorize** the Manager to execute a professional services agreement with KCI Technology, Inc. for the preliminary design of the MS4 PRP Slab Cabin Run - Stream Restoration Project as outlined in the Township RFP and KCI's proposal in the amount of \$51,195.04. Mr. Thompson seconded the motion.

ROLL CALL: MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES; MS. STRICKLAND – YES; MS. STEPHENS – YES

4. Public Hearing Resolution Prof Services Agreement w/KCI Tech Beaver Branch Stream

Mr. Modricker reported that at regular meeting of the Board of Supervisors on April 18, 2023, the Board approved staff to solicit a RFP (request for proposals) for preliminary and environmental design services for both primary Pollution Reduction Plan (PRP) stream restoration projects (a section of Slab Cabin and a section of Beaver Branch). The 2023 budget includes funding for this work in fund 20.408.317. The total design funding available for both PRP stream restoration projects is \$105,000 (\$52,500 or each). Proposals from four companies with significant stream restoration experience (HRG, Biohabitats, KCI Technology, Inc. and WSP), were solicited. Three companies submitted proposals (HRG, Biohabitats and KCI, Technology, Inc.). Staff evaluated the proposals based on certain criteria.

Public Hearing – There we no comments and the hearing closed.

Ms. Stephens moved that the Board of Supervisors **authorize** the Manager to execute a professional services agreement with KCI Technology, Inc. for the preliminary design of the MS4 PRP Beaver Branch - Stream Restoration Project as outlined in the Township RFP and KCI's proposal in the amount of \$47,930.00. Mr. Thompson seconded the motion.

ROLL CALL: MR. GRACIE-GRIFFIN – YES; MS. DININNI – YES; MS. STRICKLAND – YES; MS. STEPHENS – YES; MR. THOMPSON – YES

5. Public Hearing Resolution Agreement with PRI Management Group

Chief Petrick stated that provided with the agenda is a copy of the resolution for authorization the Township to enter into an agreement with Regional Records Management Consortium members to acquire the services of PRI Management Group of Coral Gables, FL to provide consulting services related to replacement of the current records management system. The current records management system went live in 2019. However, the vendor has not been able to fulfill contractual obligations regarding the system's functionality and therefore needs replaced.

The Consortium includes State College Borough, Townships of Ferguson and Patton, and Pennsylvania State University. The services provided by PRI Management Group includes: project management, needs assessment activities, procurement services, implementation oversight and closeout support. The total cost of services is \$167,400. Ferguson Township's share is 12.5% or \$20,925.

Provided with the agenda is a copy of the agreement between the Regional Records Management Consortium members and PRI Management Group, Coral Gables, FL.

Public Hearing – There were no comments and the hearing closed.

Mr. Thompson moved that the Board of Supervisors **adopt** the resolution. Ms. Stephens seconded the motion.

ROLL CALL: MS. DININNI – YES; MS. STRICKLAND – YES; MS. STEPHENS – YES; MR. THOMPSON – YES; MR. GRACIE-GRIFFIN – YES

6. Review Regional Growth Boundary & Sewer Service Area Implementation Agreement

Mr. Jim May, Director of the Centre Regional Planning Agency (CRPA), reviewed the Regional Growth Boundary and Sewer Service Area Implementation Agreement. The red lined agreement was included in the agenda packet.

7. Public Hearing Ordinance Amendment - Blue Course Drive Set Max Speed Limit

Mr. Modricker stated that in conjunction with a capital improvement project on Blue Course Drive, staff worked with CATA regarding the relocation of a bus stop on Blue Course Drive. An existing bus stop on eastbound Blue Course Drive will be moved to the west side of Circleville Road. With the relocation, CATA expressed concern for traffic speed for eastbound Blue Course Drive between Westwind Drive and Circleville Road. The Township Engineer conducted a traffic study indicating this section of roadway meets criteria to be posted at 35mph.

Ms. Stephens moved that the Board of Supervisors **authorize** the Manager to advertise an ordinance for public hearing to set the maximum speed limit at 35 mph for eastbound Blue Course Drive between Westwind Drive and Circleville Road. Mr. Thompson seconded the motion. The motion passed unanimously.

8. Discussion and Consideration on Process Zoning Ordinance Amendment and Zoning Map Amendment

Ms. Wargo noted that provided in the agenda is a draft zoning map amendment to the Village Zoning District in Pine Grove Mills, and a memorandum from staff summarizing areas of concern found in Chapter 27, Zoning as identified by the Pine Grove Mills Small Area Plan Advisory Committee (PGMSAP AC). At the March 7, 2023, the Board of Supervisors regular meeting, the Board chose to hold the referral of the Zoning Map Amendment until the Zoning Ordinance text.

Areas of concern as identified by the PGMSAP AC include:

- Lot sizes
- Uses (add schools, exhibit halls/museums, second floor residences above commercial)
- Shared parking regulations and requirements
- Landscaping/Buffer Yard Requirements

The Board is asked to discuss the proposed request for a zoning amendment and determine how staff should proceed with recommendations from the PGMSAP AC.

Ms. Strickland suggested discussing it at a worksession. Ms. Martin stated that it could be pulled into a worksession. Ms. Stephens concurred. Ms. Martin suggested to consider holding a public input meeting.

Ms. Wargo reviewed the following areas of concern:

- Lot sizes – establish maximum to preserve small lots.
- Uses (add schools, exhibit halls/museums, second floor residences above commercial)
- Shared parking regulations and requirements
- Landscaping/Buffer Yard Requirements

After further discussion on the next steps, Ms. Strickland suggested adding this topic back on to a future agenda.

Ms. Dininni suggested to the Board to consider an overlay.

Mr. Thompson suggested holding a joint meeting with the Ferguson Township Planning Commission.

9. 125 East Pine Grove Road - Preliminary Land Development Plan

Ms. Wargo stated that Stahl Sheaffer Engineering has submitted on behalf of their client the 125 East Pine Grove Road Preliminary Land Development Plan, dated October 7, 2022, and last revised May 3, 2023. The 125 East Pine Grove Road Preliminary Land Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030-0000) and is zoned Village (V). The property is approximately 0.537 acres. Staff and Planning Commission has reviewed the proposed plan and is recommending approval with conditions as outlined in the Director of Planning & Zoning's memorandum, dated May 31, 2023.

Mr. Thompson moved that the Board of Supervisors **approve** the 125 East Pine Grove Road Preliminary Land Development Plan with conditions as outlined in the Planning Director's memorandum dated May 31, 2023. Ms. Dininni seconded the motion.

XII. COMMUNICATIONS TO THE BOARD

Mr. Thompson reported that he received many compliments on Election Day from residents about the Township's service and staff.

Ms. Stephens received a communication complaining about rules for bulk waste pickup. The issue was eventually resolved.

XIII. CALENDAR ITEMS –JUNE

- a. Parks & Recreation Committee, June 8
- b. Planning Commission, June 12, 26
- c. Tree Commission, June 20
- d. Pine Grove Mills Small Area Plan Advisory Committee, June 22

XIV. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to **adjourn** the meeting with Ms. Strickland seconding the motion. The motion passed unanimously. The meeting was adjourned at 10:33 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Centrice Martin".

Centrice Martin, Township Manager
For the Board of Supervisors

Date approved by the Board: 06-20-2023

Goal

- 5.0 Amend the Zoning Ordinance and Sign Ordinance to support and enable community, and small-scale development, and a signage program.

Objectives

- 5.1 Support local businesses and non-profits by permitting appropriate signage.
5.2 Ensure the available land is utilized appropriately to meet the vision of a small and vibrant community.
5.3 Consider zoning tools such as a village overlay district to encourage flexible development standards in the village area.

Actions

- 5.1.1 Develop a zoning overlay district to address the unique needs of Pine Grove Mills.

Goal

- 6.0 "Small business sales days in Pine Grove Mills"

Objectives

- 6.1 To promote a sense of community amongst the businesses in Pine Grove Mills.
6.2 Generate patronage of businesses within Pine Grove Mills.

Actions

- 6.1.1 Promote business network events, including "Sale Days".

Goal

- 7.0 Promotion and funding of tourist oriented destinations (TODs) signage.

Objectives

- 7.1 Increase awareness of attractions within the community.
7.2 Generate patronage of attractions within Pine Grove Mills.

Actions

- 7.1.1 Identify the attractions that would benefit from TODs signage.
7.1.2 Identify funding for TODs signage.