

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Tuesday, February 19, 2019

7:00 PM

SWEARING IN OF APPOINTED OFFICIAL

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

Schlow Centre Region Library – Ms. Susan Werner

IV. APPROVAL OF MINUTES

1. February 4, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. Public Hearing Resolution authorizing Chairman & Secretary to execute agreement with UAJA and Greenbriar Property Owners Association
2. Public Hearing modifying Resolution 2012-11 approving Liquor License Transfer to Giant Food Stores
3. Public Hearing Resolution approving Settlement offer for Condemnation of Property at Owens Drive
4. Discussion on Plastic Bag Ban/Impact Fee Ordinance

VI. NEW BUSINESS

1. Consent Agenda
2. Zoning Variance for 3062 Ernest Lane – SCBWA proposed Nixon-Kocher Water Treatment Facility
3. Public Hearing Resolution adopting Amended Purchasing & Procurement Policy
4. Public Hearing Resolution repealing 2014-04 and authorizing Chair & Secretary as signatories on various accounts with JSSB
5. Citizen's Right to be Heard – Proclamation Request
6. Authorizing Public Hearing on 2018 Operating Budget Amendments
7. Discussion of commercial property assessed Clean Energy Legislation & Zoning Ordinance Amendment
8. Board Member Request – Kathy Matason Letter of Support

VII. REPORTS

1. COG Committee Reports
2. Staff Reports

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – FEBRUARY/MARCH

1. Zoning and SALDO Ordinances, Zoning Map / Idea Board Open House, Ferguson Township Main Meeting Room, February 21, 2019, 6:00 p.m.
2. Northland Mobility Study Open House, Ferguson Township, March 11, 2019, 5:00 p.m.
3. Pine Grove Mills Small Area Plan, St. Paul Lutheran Church, March 13, 2019, 6:00 p.m.

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Tuesday, February 19, 2019
7:00 p.m.**

SWEARING IN OF APPOINTED OFFICIAL

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. **SCHLOW CENTRE REGION LIBRARY** – Ms. Susan Werner. 10 minutes

IV. APPROVAL OF MINUTES

1. February 4, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE AN AGREEMENT WITH THE UNIVERSITY AREA JOINT AUTHORITY AND THE GREENBRIAR HOMEOWNERS ASSOCIATION AS ATTACHED HERETO AS EXHIBIT "A".**

10 minutes

Narrative

Provided with the agenda is a copy of a resolution advertised for public hearing authorizing the Chairman and Secretary to execute an agreement with the University Area Joint Authority (UAJA) and the Greenbriar Homeowners Association. The agreement permits UAJA to open cut streets in Greenbriar including Deerfield Drive, Tara Circle, Sleepy Hollow Drive, Apple Green Circle, and Woodberry Circle as requested by the Highway Occupancy Permit application. This is in response to concerns from staff and the Board that the project will structurally degrade the roads quickly enough so as to require they be repaved earlier than would otherwise be warranted. By executing the agreement, UAJA agrees finance the cost of repaving the roads in Greenbriar, with the exception of Sleepy Hollow Drive, in the year the Township's assessment methodology shows the roads meet warrants. A baseline assessment of the conditions of the roads will be used to determine when they are predicted to need repaving under normal degradation conditions. The Township will reimburse UAJA the principal amount of the cost of repaving in that year. The Township Manager will review the terms of the agreement in further detail. If the Board adopts the resolution. It will be forwarded to UAJA and representatives of the Greenbriar Homeowners Association for their concurrence. A Highway Occupancy Permit will be issued by the Township that allows UAJA to proceed with their design once all parties are in agreement.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Chairman and Secretary to execute an agreement with the University Area Joint Authority and the Greenbriar Homeowners Association as described in Exhibit "A" of the resolution.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

- 2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA MODIFYING RESOLUTION 2012-11 BY AMENDING CONDITION 6(C) OF THE APPROVAL OF THE LIQUOR LICENSE TRANSFER FROM POTTER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA TO FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA REQUESTED BY GIANT FOOD STORES, LLC.** 5 minutes

Narrative

On February 4th, the Board of Supervisors authorized advertisement of a resolution for public hearing amending the condition attached to the approved liquor license transfer requested by Giant Food Stores, LLC. The condition being modified requires that Giant maintain a ratio of 1-to-1 of onsite prepared food sales to alcohol sales, and that quarterly reports be filed with the Township verifying the store's compliance with this requirement. Specifically, the modification being made will amend the condition to obligate the applicant to submit reports to the Township annually, rather than quarterly. The restriction on food-to-alcohol sales, commonly referred to as the "Pizza Hut Rule," will still be applicable. Also provided with the agenda is a copy of the letter received from attorneys of the firm Flaherty & O'Hara representing Giant Food Stores, LLC, requesting the modification.

Recommended motion: That the Board of Supervisors adopt the resolution modifying resolution 2012-11 by amending condition 6(c) of the approval of the liquor license transfer requested by Giant Food Stores, LLC.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

- 3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING A SETTLEMENT OFFER TO PAULA WHITE FOR THE CONDEMNATION OF PROPERTY LOCATED ON OWENS DRIVE AND IDENTIFIED AS TAX PARCEL 24-019-073E AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE A SETTLEMENT AGREEMENT ATTACHED HERETO AS EXHIBIT "A".**

10 minutes

Narrative

On December 14, 2015, the Board of Supervisors adopted a resolution authorizing a declaration of taking of the property located on Centre County tax parcel 24-019-073E, now commonly referred to as Songbird Sanctuary, as authorized by the Eminent Domain Code. The former property owners, Mr. and Mrs. Stephen White, subsequently filed a preliminary objection to the amount of just compensation offered for the property (\$240,000). Upon commencing with a public hearing by an appointed Board of View, the Ferguson Township Board of Supervisors expressed a desire to arrive at an agreeable settlement amount. Ultimately, that amount was determined to be \$504,000, which includes the fee simple conveyance of the property to the Township, as well as the amount the condemnee is entitled to under the Eminent Domain Code for legal and appraisal services.

Recommended motion: That the Board of Supervisors adopt the resolution approving an offer of settlement to Stephen and Paula White for the condemnation of property identified as tax parcel 24-019-073E.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

- 4. DISCUSSION OF PLASTIC BAG BAN/IMPACT FEE ORDINANCE**

10 minutes

Narrative

On November 19, 2018, the Board of Supervisors conducted a public hearing in accordance with Section 9.03 of the Home Rule Charter on a petition that was submitted requested the Township implement a

ban on single use plastic bags. At the hearing, the Board directed staff to research similar ordinances that have been adopted in Pennsylvania and identify and potential legal challenges that have resulted.

In October 2018, the Borough of Narberth became the first municipality to regulate the distribution of plastic bags and straws in the Commonwealth of Pennsylvania. Provided with the agenda is a copy of the ordinance that was adopted by Narberth Borough Council. The Township Manager had a discussion with a Narberth Borough Councilwoman who largely championed the regulation, and several potential concerns were identified. If the Board is interested in moving forward with drafting an ordinance, it is the Manager's recommendation that any discussion of potential regulations is preceded by a concerted community engagement campaign designed to seek feedback from stakeholders including business owners, residents, and the disabled community. After input is received, a more focused discussion on appropriate regulations may take place.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Voucher Report – January 2019

2. ZONING APPEALS/REQUESTS FOR VARIANCE

- a. **3062 ERNEST LANE - STATE COLLEGE BOROUGH WATER AUTHORITY PROPOSED NIXON-KOCHER WATER TREATMENT FACILITY**

5 minutes

Narrative

Provided with the agenda is a copy of the Variance Request Application received from Gwin, Dobson & Foreman, on behalf of the State College Borough Water Authority, for property located at 3062 Ernest Lane. The applicants are seeking variances from the Riparian Buffer Overlay under Chapter 27, Section 213.4, Floodplain Conservation under Chapter 27, Sections 801.1., 801.1.C, 801.H. and 801.I. The applicants are also requesting variances from Lot Requirements under Chapter 27, Section 205.1.A. and Nonconforming Uses and Structures under Chapter 27, Section 903. The applicant currently operates the Nixon Wellfield on T. P. #24-003-,007F,0000- that contains three well buildings. The SCBWA opts to acquire approximately 2.98 acres of land owned by Gary & Carol Myers in order to develop a new Water Treatment Facility to treat water from both the Nixon and Kocher Wellfields. The Water Treatment Facility will be located outside the designated Zone A and Riparian Buffer, however, the driveway section from Ernest Lane will be developed within Zone A and Riparian Buffer. The proposed facility will also be located outside of the Sourcewater Protection Zone I Radii for all three existing well buildings. Also, the Myers property, T.P #24-003-,007K,0000- is a Nonconforming Lot totaling 44.9 acres and will potentially decrease in size by 2.98 acres, continuing the lot size nonconformity. The subject properties are located within the Rural Agricultural (RA) zoning district.

Recommended motion: That the Board of Supervisors remain neutral on the variances requested for 3062 Ernest Lane by the State College Borough Water Authority.

Staff Recommendation

That the Board of Supervisors **remain neutral** on the request for variances.

- 3. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING AN AMENDED PURCHASING AND PROCUREMENT POLICY.**

5 minutes

Narrative

In certain areas, the Second-Class Township Code governs Township policy where the Home Rule Charter is silent or is preempted by state law. One of these areas relates to purchasing guidelines that govern spending by Township departments. Provided with the agenda is a redlined revised purchasing

policy and resolution which has been advertised for public hearing. One of the main differences is related to the limits for department head approvals and the related limits requiring formal purchase orders. Currently, a formal purchase order is required for a purchase of \$1,000 or more. The revised guideline would increase the limit to \$2,500 per purchase. Reasoning for changing the limit is as follows:

1. The \$1,000 limit was put in place over a decade ago when the Township budget was half the size of the current budget;
2. Increasing the limit decreases the number of purchase orders and related tasks saving time and money;
3. Increasing the limit removed the requirement for the front-line staff to secure the Township Manager's approval for purchases between \$1,000 and \$2,499.00;
4. Increasing the limit will limit the number of purchases the Manager has to review, focusing efforts on more costly and arguably bigger purchases; and
5. The \$2,500 requirement mirrors the Township's current definition of a capital item.

The Township is also providing an allowance for blanket purchase orders. Generally, a blanket purchase order is a commitment to buy goods or services for a set amount from a specific vendor. By using blanket purchase orders, the vendor can plan their operations knowing what the township is committing to pay. The Township benefits by reduced paperwork by not having to prepare multiple requisitions and purchase orders.

Recommended motion: That the Board of Supervisors adopt the resolution adopting an amended purchasing and procurement policy.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

4. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2014-04 AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE A RESOLUTION WITH JERSEY SHORE STATE BANK, VOYA FINANCIAL ADVISORS, AND PERSHING, LLC DESIGNATING THE AUTHORIZED SIGNATORIES ON THE TOWNSHIP'S VARIOUS BANK ACCOUNTS.

5 minutes

Narrative

Provided with the agenda is a copy of a resolution as advertised for public hearing authorizing the Chairman, Vice Chairman, and Township Manager to act as signatories on the various Township bank accounts held by Jersey Shore State Bank. The Township's Administrative Code provides for two signatures on certain checks and drafts whose amounts exceed \$3,000. For many expenditures, the Township utilized ACH (Account Clearing House) transfers but also issues semi-monthly checks for goods and services received where two signatures are required.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Chairman and Secretary to execute a resolution with Jersey Shore State Bank designating the authorized signatories on the Township's various bank accounts.

Staff Recommendation

That the Board of Supervisors **adopt** the resolution.

5. CITIZEN'S RIGHT TO BE HEARD – PROCLAMATION REQUEST

5 minutes

Narrative

Mr. Todd Giddings of Beaver Branch Road submitted a request under Section 2.20 of the Ferguson Township Home Rule Charter, Citizen's Right to be Heard. Specifically, Mr. Giddings is requesting the Board adopt the attached proclamation designating the week of March 10th as Groundwater Awareness

Week in Ferguson Township. This request would coincide with National Groundwater Awareness Week. If the Board is interested in proceeding, a proclamation can be prepared and placed on the March 4th Regular Meeting agenda for consideration.

Recommended motion: That the Board of Supervisors direct staff to prepare a proclamation for the March 4th Regular Meeting designating the week of March 10th to be Groundwater Awareness Week in Ferguson Township.

6. AUTHORIZATION OF PUBLIC HEARING ON 2018 OPERATING BUDGET AMENDMENTS

10 minutes

Narrative

Provided with the agenda is a draft resolution amending the Ferguson Township Annual Operating Budgets for fiscal year 2018. In accordance with Section 7.08 of the Ferguson Township Home Rule Charter, the Board of Supervisors may schedule a public hearing to amend the budget after it is adopted, provided that it is scheduled within two weeks of announcement of the hearing. The resolution amending the 2018 Operating Budget includes increasing the Hydrant Fund, which has exceeded budget expenditures. No amendments are needed to the 2019 Operating Budget to reflect encumbered expenditures. The Township has sufficient reserves to cover the additional expenditures in the 2018 fiscal year.

Recommended motion: That the Board of Supervisors authorize the public hearing to amend the 2018 Ferguson Township Annual Operating Budget for March 4, 2019.

Staff Recommendation

That the Board of Supervisors **authorize** the public hearing.

7. DISCUSSION OF COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE) LEGISLATION AND THE ZONING ORDINANCE AMENDMENT

20 minutes

Narrative

In 2018, Governor Tom Wolf signed into law a bill that enabled Pennsylvania municipalities to establish clean energy districts. The program, labeled C-PACE, provides a mechanism for businesses and industry to finance environmental efficiency improvements such as renewable energy systems, improved insulation, HVAC upgrades, and more. The financing of the upgrades is done by lending institutions, who are in turn repaid throughout the life of the building via an added assessment to the building's property tax bill. This additional assessment is transferred as the property is sold. In order to incorporate C-PACE into the Township's zoning ordinance, staff should be directed to further research this legislation and how it should manifest itself within local regulations. Additional consideration and discussion should be given to which zoning districts would be appropriate for this program and how it would be administered. Provided with the agenda is a fact sheet that further explains the program and legislation.

Recommended motion: That the Board of Supervisors direct the Township Manager to write a letter of support to the Centre County Commissioners endorsing the passage of C-PACE legislation.

Staff Recommendation

That the Board of Supervisors **direct** the Township Manager to write a letter of support for the county adoption of C-PACE legislation.

8. BOARD MEMBER REQUEST – KATHY MATASON LETTER OF SUPPORT

10 minutes

Narrative

The letter of support from Ferguson Township for Ms. Matason comes from concerns voiced by regional staff, elected officials, and members of the public. Recently, Chairman Buckland was alerted to social media posts made by a Ferguson Township supervisor that disparaged Ms. Matason. These posts were

not in the spirit of good faith or the will of the Board. The Ferguson Township Board of Supervisors wishes to:

- Engage in good-faith dialogue;
- Cooperate with our peer governmental bodies to accomplish common goals even when we disagree;
- Work to advance policy for the common good; and
- Recognize that the Council of Governments unanimously approved a conduct policy by resolution.

It seems appropriate that the Board recognize that Ms. Matason has conducted meetings in good faith, in a spirit of cooperation, advanced policies for the common good, and conducted herself well. Her work on and for the Centre Region Parks and Recreation Authority meets the Ferguson Township Strategic Plan Goal #9 – Partnerships and Regional Thinking. Therefore, the Board is asked to move to advance this letter of support recognizing Ms. Matason’s service. Provided with the agenda is a copy of the letter as drafted by Chairman Buckland.

Recommended motion: That the Board of Supervisors authorize a letter of support for Ms. Kathy Matason in recognition of her service to the Centre Region Parks and Recreation Authority.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

15 minutes

- a. Ad Hoc Facilities Committee
- b. Human Resources Committee
- c. Joint Finance & PSE Committees
- d. Executive Committee

2. STAFF REPORTS

15 minutes

- a. Township Manager
- b. Planning and Zoning Director
- c. Public Works Director
- d. Chief of Police

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – FEBRUARY/MARCH

1. Zoning and SALDO Ordinances, Zoning Map / Idea Board Open House, Ferguson Township Main Meeting Room, February 21, 2019, 6:00 p.m.
2. Northland Mobility Study Open House, Ferguson Township, March 11, 2019, 5:00 p.m.
3. Pine Grove Mills Small Area Plan, St. Paul Lutheran Church, March 13, 2019, 6:00 p.m.

X. ADJOURNMENT

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, February 4, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, February 4, 2019, at the Ferguson Township Municipal Building. In attendance were:

Board: Peter Buckland
Steve Miller
Laura Dininni
Tony Ricciardi

Staff: Dave Pribulka, Township Manager
Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Suzy Yetter, Kevin Abbey, Clearwater Conservancy; Wes Glebe; Eric Reisher; Jeremie Thompson; Chris Bradley; Joe Green, Township Solicitor; Ellen Freeman; Charima Young.

II. CALL TO ORDER

Mr. Buckland called the Monday, February 4, 2019, regular meeting to order at 7:00 p.m.

III. CITIZENS INPUT

- a. Mr. Glebe voiced his concerns on a couple of issues: 1) Rails to Trails and whether it should go under Parks & Recreation, and 2) Benner Township's ongoing issue with bio solids and PFAS chemicals and if Ferguson Township has something in place to address these issues. Following discussion, a follow-up will be done.
- b. Mr. Bradley voiced his concern regarding the Borough's transfer facility trucks that travel on West Beaver Avenue that is in a residential street vs using the commercial street that is one block away. This is in addition to dump trucks traveling the street being used for the elementary school project. The speeding hazards along with residue left from the trucks is an issue. Mr. Buckland noted a follow-up will be done.

IV. SPECIAL REPORTS

- a. Clearwater Conservancy. Ms. Suzy Yetter, Conservation Projects Coordinator. The presentation included an overview of the local landscape and the Scotia Barrens young forest, habitats and biological resources. The discussion focused on steering changes in a positive direction for area habitats through forest management. Noted are upcoming informational sessions that will provide how to topics to create a sustainable young forest habitat environment.

Discussion followed on topics that included habitat preservation, partnering in forest management and sharing of useful resources among other similar organizations.

V. APPROVAL OF MINUTES

Mr. Ricciardi moved that the Board of Supervisors **approve** the Regular Meeting minutes of January 21, 2019. Ms. Dininni seconded the motion. The motion passed unanimously.

VI. UNFINISHED BUSINESS

- a. Discussion on Draft Amendments to Zoning and SALDO Ordinances

Mr. Pribulka reviewed the two draft ordinances for discussion along with the public hearing process.

Mr. Pribulka reviewed the major changes to the ordinances in response to Mr. Buckland's request. The Board followed with a discussion on a number of items relating to the ordinances. Noted are that the Tree Commission comments were not provided with the draft. Mr. Buckland requested that C-PACE legislation be added to a future agenda. A follow-up will be done with the Planning Commission on the Tree Commission comments.

Mr. Pribulka did a review of follow-up items for the Board.

VII. NEW BUSINESS

a. CONSENT AGENDA

1. 2019-C13 Award Memo – Street Trees
2. Board Member Request – Kathy Matason letter of Support

Ms. Dininni motioned to pull item 2 off the Consent Agenda.

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Mr. Miller seconded the motion. The motion passed unanimously.

Discussion followed on item 2 – Board Member Request. Ms. Dininni requested a narrative be provided for the letter of support. Following discussion a motion was made.

Mr. Miller moved that the Board of Supervisors **place** the Board member requested item on the agenda for February 19th. Mr. Ricciardi seconded the motion. The motion passed unanimously.

b. Public Hearing Resolution Authorizing Agreements with Thistlewood Homeowners Association

Mr. Pribulka reviewed the draft resolution, exhibits and map for discussion as provided with the agenda. Mr. Green was in attendance to answer legal questions.

No comments noted at this Public Hearing.

Ms. Dininni moved that the Board of Supervisors **adopt** the resolution authorizing the Chairman to execute the Article of Agreement with the Thistlewood Homeowners Association and the Easement & Right of Way Agreement with the Grantors and Thistlewood Homeowners Association. Mr. Ricciardi seconded the motion.

Discussion followed on code and the plan review process. Further discussion followed on future street tree planting and maintenance for conservation areas.

Roll Call vote on Resolution 2019-06: Mr. Ricciardi – YES; Mr. Buckland – YES; Ms. Dininni – YES; Mr. Miller – YES.

c. Request to Modify Conditions of Liquor License Transfer with Giant Food Stores - 255 Northland Center

Mr. Pribulka reviewed the request and the "Pizza Hut" rule. Ellen Freeman representing Flagerty & O'Hara was in attendance to answer questions.

Mr. Glebe was recognized and spoke on concern for yearly reporting versus quarterly reporting being done currently and if there were any inconsistencies in regards to collection of data. Prior to discussion, a motion was made.

Ms. Dininni moved that the Board of Supervisors **direct** staff to advertise for public hearing a resolution amending Resolution 2012-11 by modifying Condition 6(c) to require an annual report be filed with the Township in place of quarterly reports. Mr. Miller seconded the motion.

Following discussion with the Board, Staff and Solicitor, it was determined that there have been no inconsistencies or irregularity in reporting in the past regarding this applicant.

The motion passed unanimously.

e. Comments on Phase 2 Spring Creek Watershed Management Plan

Mr. Buckland reviewed the plan as provided with the agenda prior to the discussion.

Mr. Ricciardi moved that the Board of Supervisors **request** Mr. Buckland forward its comments on the Phase II Spring Creek Watershed Management Plan to the Spring Creek Watershed Commission. Mr. Miller seconded the motion.

Discussion followed on the plan and action steps. Comments from the Board included: define economic and biological growth; more defined objectives; design of structure; is the plan implementable and achievable; funding for Phase 3; update recommendations vs technical categories; policy recommendations; and justification and guidance for a model ordinance.

The motion passed unanimously.

f. Appointments to Centre Region Building and Housing Board of appeals

Mr. Pribulka presented the appointments for consideration.

- Core Board
 - Adam Fernsler, P.E., LEED AP
 - J. Michael Leakey, R.A. (Alternate)
- Property Maintenance Board
 - Sarah K. Lowe

Mr. Ricciardi moved that the Board of Supervisors **approve** the slate of nominations as forwarded by the COG General Forum for re-appointment to the Centre Region Building and Housing Board of Appeals for a three-year term beginning February 15, 2019. Ms. Dininni seconded the motion. The motion passed unanimously.

g. PennPrime Loss Control Standard #1 – Commitment to Safety/Risk Management

Mr. Pribulka reviewed the Loss Control Standard that is an annual Township requirement. The only noted change from the previous year was the date.

Mr. Ricciardi moved that the Board of Supervisors **approve** the Township's Statement of Commitment to Safety and Risk Management. Ms. Dininni seconded the motion. The motion passed unanimously.

VIII. **STAFF AND COMMITTEE REPORTS**

a. COG COMMITTEE REPORTS

1. Executive Committee. Mr. Miller noted the agenda was provided and everything was covered prior to the last COG meeting.

b. OTHER REGIONAL COMMITTEES

1. Centre Area Cable Consortium. Mr. Ricciardi reported the meeting was held on January 22nd on reappointments to the Board and an executive session.

c. STAFF REPORTS

1. Township Manager. Mr. Pribulka reported on preparation for the upcoming citizens' survey being done by the National Research Center that will include Pine Grove Mills subsection at no additional cost; UAJA agreement update on the Greenbriar development-details to follow at the next Board meeting if approved to go before the Board; CRPRA meeting update on playground safety audits; and pre-application meeting update with Stahl Shaeffer on the land development plan.

Discussion followed on details of the citizens' survey, playground inspections and winter maintenance plans.

2. Planning and Zoning Director. The report was provided with the agenda packet.
3. Public Works Director. No written report.

IX. **COMMUNICATIONS TO THE BOARD - None**

X. **CALENDAR ITEMS**

- a. A special meeting of the Board will be held tomorrow that will not be an executive session. Discussion followed on the rules for executive sessions.
- b. Meeting rescheduled: Centre Region Comprehensive Recreation, Parks and Open Space Plan Public Meeting, State College Area High School, Wednesday, February 6th, 7:00 p.m.
- c. Meeting rescheduled: Musser Gap conversation, Unitarian Universalist Fellowship, February 7th, 6:00 p.m.
- d. Pine Grove Mills Small Area Plan, February 13, 2019, 6:00 p.m., place TBD
- e. Zoning and SALDO Ordinances, Zoning Map / Idea Board Open House, Ferguson Township Main Meeting Room, February 21, 2019, 6:00 p.m.

XI. **ADJOURNMENT**

Mr. Buckland called for adjournment. With no further business to come before the Board of Supervisors, Ms. Dininni motioned to adjourn the meeting. The meeting adjourned at 9:03 p.m.

Respectfully submitted,

David Pribulka, Township Manager
For the Board of Supervisors

RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE AN AGREEMENT WITH THE UNIVERSITY AREA JOINT AUTHORITY AND THE GREENBRIAR HOMEOWNERS ASSOCIATION AS ATTACHED HERETO AS EXHIBIT "A".

WHEREAS, the University Area Joint Authority (UAJA) is desirous of constructing a pressurized sanitary sewer system to service the homes located in the Greenbriar Development; and

WHEREAS, the Ferguson Township Right-of-Way Administrator has expressed concern that the number of pave cuts proposed by the design will significantly degrade the structural integrity of the public right-of-way, likely resulting in an earlier repaving timetable for impacted streets; and

WHEREAS, UAJA maintains that other methodologies such as directional boring to reduce the number of pave cuts are not feasible for the design needed to construct the sewer system; and

WHEREAS, the Township recognizes the environmental and public health value of connecting homes serviced by on-lot septic systems to the sanitary sewer system.

NOW THEREFORE, the Ferguson Township Board of Supervisors, being desirous of arriving at a mutually-agreeable resolution that permits the project to proceed while simultaneously protects the interests of the Township, hereby authorizes the Chairman and Secretary to execute the agreement attached hereto as Exhibit "A" and made part of this Resolution.

RESOLVED this 19th day of February, 2019.

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman
Board of Supervisors

[S E A L]

ATTEST:

David Pribulka, Secretary

Exhibit "A"

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made this ____ day of _____, 2019, by and between:

TOWNSHIP OF FERGUSON, a Home Rule Municipality, having offices at 3147 Research Drive, State College, Centre County, Pennsylvania, party of the first part, hereinafter referred to as "Township";

– AND –

UNIVERSITY AREA JOINT AUTHORITY, a municipal authority organized under the Municipal Authorities Act, having offices at 1576 Spring Valley Road, State College, Centre County, Pennsylvania, party of the second part, hereinafter referred to as "Authority";

– AND –

GREENBRIAR HOMEOWNERS ASSOCIATION, INC., at 2526 Tara Circle, State College, Pennsylvania party of the third part, hereinafter referred to as "Association".

RECITALS

WHEREAS, Authority is desirous of connecting the Greenbriar development to its sanitary sewer collection and treatment system; and

WHEREAS, Authority has requested permission from the Township to occupy, open-cut, and restore public right-of-way on streets identified as Deerfield Drive, Sleepy Hollow Drive, Tara Circle, Woodberry Circle, and Apple Green Circle as further described and illustrated in Exhibit "A" attached hereto and made part of this Memorandum of Agreement (MOA), hereinafter referred to as "Project"; and

WHEREAS, Authority has applied for a Highway Occupancy Permit as required by Chapter 21, Streets and Sidewalks, Part 1, Pave Cut and Right-of-Way Occupancy, Section C, Permits of the Ferguson Township Code of Ordinances; and

WHEREAS, Township is entrusted to ensure the structural integrity of the public right-of-way by ensuring that streets are properly maintained and restored by all utilities granted permission to occupy them.

NOW THEREFORE, Authority and Township, in consideration of mutual covenants, promises, conditions, and terms to be kept and performed, do hereby agree as follows:

Section 1. Authority will be issued a Highway Occupancy Permit by Township to perform the requested pave cuts, temporary restoration, and permanent restoration as described in Exhibit "A".

Section 2. Authority agrees to comply with all conditions set forth in the Highway Occupancy Permit as well as those applicable provisions set forth in Chapter 21, Streets and Sidewalks, Part 1, Pave Cut and Right-of-Way Occupancy, Section D Construction Procedures.

Section 3. Township agrees to remove the typical condition that utilities directional bore under the right-of-way for similar projects and permit Authority to open cut and temporarily and permanently restore said cuts in accordance with Township standards.

Section 4. Township shall apply condition indexes measured most recently as of April 2018 at streets affected by Project to degradation curves established by its PAVER™ Pavement Management Software and project for each street the year(s) each will be required to be repaved. Streets subjected to this assessment will include Deerfield Drive, Tara Circle, Apple Green Circle, and Woodberry Circle. Sleepy Hollow Drive is purposefully excluded from this MOA because the road is currently identified for repaving in the scope of the Township's 2019 – 2023 Capital Improvement Program. Authority shall be given the opportunity to review and concur with the assessments and projected repaving schedule for each of the affected streets.

Section 5. Township shall measure and determine condition indexes for each street affected by Project, excluding Sleepy Hollow Drive, at the conclusion of the guarantee period of the permanent restoration as established by §21-139 Permanent Restoration (two years). The measured condition indexes shall be applied to the same degradation curves that were applied prior to Project commencing and the projected year for repaving of each street shall be again determined. Other utility work or other factors outside of normally expected degradation of a street that may have adversely affected the condition of the streets during the guarantee period shall be noted as part of the reassessment of the condition indexes. Said utility work or other factors shall be deducted from Authority's obligation under the terms of this MOA in a manner that is agreeable to Township and Authority. Authority shall be given the opportunity to review and concur with the assessments and projected repaving schedule for each of the affected streets.

Section 6. Should the projected repaving year for each street subject to this MOA be earlier than would otherwise have been required had Project not commenced, Authority agrees to fully finance the repaving of each street in the earlier year. This year will be agreed to by Authority and Township, including any amount to be deducted as a result of other utility work or factors that may have caused the streets to degrade more rapidly than normally expected. Township agrees to repay Authority the full cost of the principal of the repaving project in the year the streets would normally have been repaved. Authority agrees to absorb any interest or other costs associated with financing the project.

Section 7. Upon request of Township, Authority agrees to perform any maintenance work including crack sealing on the affected streets that can reasonably be assumed to have been necessitated as a consequence of the Project.

Section 8. Township agrees to reevaluate the streets affected by Project in the projected earlier repaving year and determine whether each street is in need of repaving. If not, Authority shall not be required to finance the repaving of the streets in that year but shall be required to finance the repaving of streets in the year it is determined the streets are required to be repaved, provided that year is earlier than the original projected year of repaving prior to Project commencing.

Section 9. Should any or all of the affected streets be determined to not require repaving earlier than the initial projected year as a result of Project, Authority shall be absolved of its responsibilities under this MOA.

Section 10. By entering this MOA as a party, Association agrees with the provisions outlined herein.

Section 11. Arbitration. Disagreements between the Parties of this MOA shall be addressed in a timely manner and in good faith. Should the Parties be unable to resolve any disagreements, a neutral arbitrator shall be selected by concurrence of the Parties to negotiate an agreeable resolution.

Section 12. Termination. This MOA may be terminated upon the mutual agreement and consent of Authority and Township. Authority or Township shall be able to terminate this MOA upon securing agreement from the other Party. Association shall not be entitled to terminate this MOA.

IN WITNESS WHEREOF, the Parties hereunto have set their hands and seals the date and year first written above.

ATTEST:

David Pribulka, Township Secretary

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman
Board of Supervisors

ATTEST:

Cory Miller, Executive Director

UNIVERSITY AREA JOINT AUTHORITY

By: _____
David Lapinski, Chairman
University Area Joint Authority

ATTEST:

GREENBRIAR PROPERTY OWNERS
ASSOCIATION

By: _____
Authorized Representative

RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA MODIFYING RESOLUTION 2012-11 BY AMENDING CONDITION 6(C) OF THE APPROVAL OF THE LIQUOR LICENSE TRANSFER FROM POTTER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA TO FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA REQUESTED BY GIANT FOOD STORES, LLC.

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, hereinafter "Code"), as amended, authorizes, among other things, the Pennsylvania Liquor Control Board (hereinafter "PLCB") to approve the transfer of liquor licenses across municipal boundaries within the same county and under certain conditions to issue restaurant liquor license without regard to quota restrictions; and

WHEREAS, Ferguson Township adopted Ordinance 773 dated May 7, 2001 as amended setting forth the criteria for an inter-municipal transfer of liquor licenses, and

WHEREAS, Resolution 2012-11 was adopted after the conducting of public hearings on May 7, 2012 and May 21, 2012 in accordance Section 461 of the Code and Ordinance 773 of the Code of Ordinances to approve the intermunicipal liquor license transfer requested by Giant Food Stores; and

WHEREAS, Giant Food Stores has demonstrated consistent compliance with the conditions applied to the approval of the liquor license transfer, and has further requested that the requirement to submit quarterly reports verifying compliance with the requirement to maintain a ratio of 1 to 1 food-to-liquor and/or malted or brewed beverage sales be amended to require annual reporting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Ferguson, Centre County, Pennsylvania hereby amends Resolution 2012-11 by amending Condition 6(c) as follows:

6. The Board, following public hearings on May 7, 2012 and May 21, 2012 establishes the following conditions to be made a part of the liquor license transfer that may be issued by the Pennsylvania Liquor Control Board:
 - c. Onsite prepared food sales to liquor and/or Malted or Brewed Beverage sales ratio of 1 to 1 (50% food- 50% liquor and/or Malted or Brewed Beverage or alcohol on a dollar basis, i.e. applicant shall be in compliance with the Liquor Code "Pizza Hut Rule," 47 P.S. Section 4-493(14)) shall be required to be maintained on a yearly basis with reports filed with the Township during the first two year renewal period and each two year renewal period thereafter. Reports to the Township will be on a percentage basis. For purposes of compliance monitoring by the Liquor Control Enforcement applicant shall keep an income/expense ledger showing the actual dollar volume of food and liquor sales on a monthly basis.

RESOLVED this 19th day of February, 2019.

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

By: Peter Buckland, Chairman

[S E A L]

ATTEST:

David Pribulka, Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA APPROVING A SETTLEMENT OFFER TO PAULA WHITE FOR THE CONDEMNATION OF PROPERTY LOCATED ON OWENS DRIVE AND IDENTIFIED AS TAX PARCEL 24-019-073E AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE A SETTLEMENT AGREEMENT ATTACHED HERETO AS EXHIBIT "A".

WHEREAS, Ferguson Township (hereafter referred to as "Condemnor") filed a Declaration of Taking with respect to a tract of land situated on Owens Drive and identified by Centre County Tax Parcel 24-019-073E; and

WHEREAS, On or about November 29, 2016, having received no preliminary objections to the filing by Stephen and Paula White (hereafter referred to as "Condemnee"), Condemnor paid into court a sum of \$240,000.00 for said tract of land; and

WHEREAS, on November 8, 2018, the Condemnor and Condemnee proceeded to a view and hearing before a Board of Viewers; and

WHEREAS, a settlement of just compensation has since been agreed to by the Condemnor and Condemnee for said tract of land.

NOW THEREFORE, the Ferguson Township Board of Supervisors hereby approves the additional just compensation amount of \$260,000.00 which, when added to the previously paid just compensation amount, generates a total agreed upon just compensation settlement figure of \$500,000.00 which includes any applicable interest or delay damages. In addition, payment of the statutory reimbursement for legal counsel and expert fees in the amount of \$4,000.00 is being made which results in a total additional payment of \$264,000.00 for purposes of settlement.

BE IT FURTHER RESOLVED, the Ferguson Township Board of Supervisors hereby authorizes the Chairman and Secretary to execute the Settlement Agreement attached hereto as Exhibit "A" and made part of this Resolution.

RESOLVED this 19th day of February, 2019.

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman
Board of Supervisors

[S E A L]

ATTEST:

David Pribulka, Secretary

SETTLEMENT AGREEMENT

This Settlement Agreement is made and executed this ____ day of February, 2019,
by and between the following parties:

Township of Ferguson (hereafter Condemnor)
Centre County, Pennsylvania
3147 Research Drive
State College, PA 16801

AND

Paula White (hereafter Condemnee)
1301 West Whitehall Road
State College, PA 16801

RECITALS

Whereas, on August 17, 2016, Condemnor filed a Declaration of Taking with the Centre County Prothonotary to Docket Number 2016-3062 naming Stephen White and Paula White as to Condemnees with respect to a tract of land located in the Township of Ferguson, Centre County, Pennsylvania, described in Exhibit A as modified by this instrument and attached hereto; and,

Whereas, on August 18, 2016, Condemnor duly filed with the Centre County Recorder of Deeds a Notice of Declaration of Taking with respect to the same tract of land, the same being recorded at Record Book 2185-0636; and,

Whereas, no preliminary objections were filed to the Declaration of Taking and this matter proceeded to the just compensation determination stage; and,

Whereas, on or about November 29, 2016, pursuant to a Stipulation of the parties, Condemnor paid into court the sum of \$240,000.00 as the amount being paid on account as estimated just compensation; and

Whereas, on or about March 13, 2017, an Order was issued directing the Prothonotary to make payment to Condemnees attorney in the aforesaid amount; and,

Whereas, Stephen White died on May 13, 2018, thereby vesting his interest in any additional just compensation proceeds in his surviving spouse, Paula White, and,

Whereas, the parties proceeded to a view and hearing before a Board of Viewers on November 8, 2018, and between that date and the present date, a settlement of the just compensation issue has been agreed upon by Condemnor and Condemnee.

TERMS OF AGREEMENT

Intending to be legally bound hereby and for good and valuable consideration as well as the exchange of mutual covenants and promises set forth herein, the parties agree as follows:

1. JUST COMPENSATION AMOUNT

Condemnor shall pay to Condemnee the additional sum of Two Hundred Sixty Four Thousand Dollars (\$264,000.00) which, when added to the previously paid estimated just compensation amount, generates a total agreed upon just compensation figure of Five Hundred and Four Thousand Dollars (\$504,000.00).

Said total settlement amount shall include any and all just compensation due Condemnee as well as interest, delay damages, and statutory allowance for counsel fees, expert witness evaluations, survey cost, etc.

**2. CORRECTION OF DESCRIPTION AND TOTAL ACREAGE OF
CONDEMNED TRACT**

It is agreed that the total number of acres condemned by the Condemnor in these proceedings include a total land quantity of 9.299 acres as shown on the plan depicted in the Preliminary and Final Resubdivision and Replot of White Lands (which includes Lot 425R) prepared by Penn Terra Engineering, Inc., dated September 2, 1992, and recorded in Centre County Recorder of Deeds Plat Book 45, Page 167. In this regard, reference is also made to Exhibit A which is attached hereto and made a part hereof.

3. DISCONTINUANCE OF PROCEEDINGS

Condemnee shall file the appropriate praecipe with the Centre County Prothonotary in order to mark the Board of Viewers proceedings settled and discontinued with prejudice.

4. RELEASE OF CONDEMNEE BY CONDEMNOR

Condemnee hereby releases and discharges Condemnor of or from any and all liability, actions, causes of action, damages, charges, claims, and assessments relating to the taking of the subject premises under the provisions of the Eminent Domain Code and hereby conveys, transfers, and grants to Condemnor, its successors and assigns, all right, title, and interest in the premises which are the subject of these proceedings including, but not limited to, the additional acreage described above in Paragraph 2.

5. MEMORANDUM OF AGREEMENT

A separate Memorandum of Agreement, in recordable form, shall be executed by the parties for purposes of being recorded with the Centre County Recorder of Deeds in order to supplement the public record relating to the property description and land quantity modifications, set forth above. Condemnee shall pay all costs and fees relating to this point.

IN WITNESS WHEREOF, the undersigned execute this Settlement Agreement the day and date first above written.

Township of Ferguson, Centre
County, Pennsylvania
(Condemnor)

Attest

Secretary

Chair, Board of Supervisors

Paula White (Condemnee)

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF CENTRE)

ON THIS, the _____ day of _____, 2019, before me, a Notary Public, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public
My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF CENTRE)

ON THIS, the _____ day of _____, 2019, before me, a Notary Public, the undersigned officer, personally appeared Paula White, Condemnee known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public
My Commission Expires:

Exhibit "A"

The parcel which is subject of the Eminent Domain proceedings filed to No. 2016-3062 of the Court of Common Pleas of Centre County is the approximate 9.299 acre tract located in Ferguson Township , Centre County, Pennsylvania, which is the residual land of the Condemnees known as Tax Parcel 24-19-73E remaining from two deed conveyances to Condemnees as follows:

- (1) Deed dated 2/18/1988 from Pine Hall Investment Group, Inc. to Condemnees recorded in Centre County Record Book 461, Page 810.
- (2) Deed dated 7/28/1988 from Blue Course Development, Inc., to Condemnees recorded in Centre County Record Book 466. Page 1141.

Said parcel is the tract shown on the Plan depicted in the Preliminary and Final Resubdivision and Replot of White Lands prepared by Penn Terra Engineering, Inc., dated September 2, 1992 and recorded in Centre County Recorder of Deeds Plat Book 0045, Page 0167. (NOTE: The above term Condemnees, for present purposes, is deemed to refer to the singular Condemnee in as such as Paula White is the surviving spouse of Stephen White who passed away as mentioned in the Recitals).

**ORDINANCE NO. 1009
BOROUGH OF NARBERTH
MONTGOMERY COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE NARBERTH BOROUGH ORDINANCE
REGULATING THE DISTRIBUTION OF SINGLE-USE CARRY-OUT PLASTIC BAGS
AND SINGLE-USE PLASTIC STRAWS; AND PROVIDING FOR RELATED
PURPOSES AND FINDINGS, DEFINITIONS, REQUIREMENTS, ENFORCEMENT,
PENALTIES, AND EXEMPTIONS**

WHEREAS, the Borough Code and the Pennsylvania Municipalities Planning Code authorizes the Borough Council of the Borough of Narberth (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough of Narberth (“Borough”) and its citizens;

WHEREAS, Article 1, Section 27 of the Pennsylvania Constitution provides that people have the right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

WHEREAS, for the reasons set forth in more detail below, Borough Council intends to preserve, maintain, and enhance the health of its residents and visitors, as well as the public natural resources and common property within the Borough, by regulating the distribution of single-use, carry-out plastic bags and straws within the Borough of Narberth;

WHEREAS, the Narberth Borough Council has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

WHEREAS, Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Narberth Borough will be served by this amendment of the Narberth Borough Ordinance to regulate the distribution of single-use, carry-out plastic bags and straws within the Borough of Narberth;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Narberth, Montgomery County, Pennsylvania, it is hereby enacted and ordained by the authority of same, as follows:

Section I. Code Amendment. The Narberth Borough Ordinance shall be amended by providing a new Chapter under Part II, *General Legislation*, entitled “Plastics Regulations”, to provide as follows:

1. Purpose and Findings.

A. The purpose of this Chapter is to reduce the use of single-use, carry-out plastic bags and single-use, plastic straws by commercial establishments within the Borough of Narberth, curb litter on the streets, in the parks, and in the trees, protect the local streams, rivers, waterways and other aquatic environments, reduce greenhouse gas emissions, reduce solid waste generation, promote the use of reusable, compostable, and recyclable materials within the Borough of Narberth, and to preserve the natural, scenic, historic, and esthetic values of the Borough of Narberth.

B. Findings.

- a. The use of single-use bags and plastic straws have severe environmental impacts, including greenhouse gas emissions, litter, harm to wildlife, ground level ozone formation, atmospheric acidification, water consumption and solid waster generation.
- b. There are numerous commercial establishments within the Borough of Narberth which provide single-use, plastic carry-out bags and single-use, plastic straws to their customers.
- c. The majority of such single-use, plastic carry-out bags and single-use, plastic straws are made from plastic or other material that does not readily decompose.
- d. Approximately one hundred billion single-use, plastic carry-out bags are discarded by United States consumers each year. In the Borough or Narberth, such bags are not readily recyclable.
- e. Approximately five hundred million single-use, plastic straws are discarded by United States consumers every day. In the Borough or Narberth, such straws are not readily recyclable.
- f. Numerous studies have documented the prevalence of single-use, plastic carry-out bags and/or plastic straws littering the environment, blocking storm drains, entering local waterways, and becoming stuck in or upon natural resources and public property.
- g. The taxpayers of the Borough of Narberth pay the costs related to the cleanup of single-use, plastic carry-out bags and plastic straws from the roadways, trees, sewers, waters, and parks within the Borough.

- h. From an overall environmental and economic perspective, the best alternative to single-use, plastic carry-out bags is a shift to reusable, compostable or recyclable paper bags, and the best alternative to single-use, plastic straws are reusable straws, recyclable paper straws, or straws made from other natural products.
- i. There are several alternatives to single-use, plastic carry-out bags and single use plastic straws readily available in and around the Borough of Narberth.
- j. An important goal of the Borough of Narberth is to procure and use sustainable products and services.
- k. An important goal of the Borough of Narberth is to preserve the natural, scenic, historic, and esthetic values of the Borough of Narberth.
- l. It is the Borough of Narberth's desire to conserve resources, reduce the amount of greenhouse gas emissions, waste, litter, water pollution, and to protect the public health and welfare, including wildlife, all of which increases the quality of life for the Borough's residents and visitors.
- m. Studies have documented that placing a mandatory charge on single-use, plastic carry-out bags and banning single-use, plastic straws will dramatically reduce the use of such items.

2. Definitions.

For the purposes of this Chapter, the following definitions shall apply unless the context clearly requires otherwise:

- a. "Borough" shall mean the Borough of Narberth.
- b. "Commercial Establishment" shall mean any person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods, or materials directly to a customer, whether or not for profit, including, but not limited to, restaurants (eat-in and/or take-out food), bars, pharmacies, convenience and grocery stores, seasonal and temporary businesses or markets, retail stores, or other similar nonresidential uses. For purposes of this Chapter, Commercial Establishments shall not include bazaars or festivals operated by nonprofit organizations or religious institutions.
- c. "Compostable Plastic Bag" and "Compostable Plastic Straw" shall mean, respectively, a plastic bag or plastic Straw that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the

material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials.

- d. "Distribution" or to "distribute" means the vending, sale, giving, deployment or delivering for any purpose of a Single-Use Plastic Carry-Out Bag or Single-Use Plastic Straw, whether or not incident to the sale, vending, or production of any merchandise or beverage.
- e. "Recyclable Paper Bag" shall mean a paper bag that is (1) one hundred percent (100%) recyclable including the handles; (2) contains at least forty percent (40%) post-consumer recycled paper content; and displays the words "recyclable" and "made from 40% post-consumer recycled amount content (or other applicable amount), or substantially similar wording, in a visible manner on the outside of the bag.
- f. "Recyclable Paper Straw" shall mean a paper Straw that is one hundred percent (100%) recyclable.
- g. "Reusable Bag" shall mean a bag with handles that is specifically designed and manufactured for multiple reuse. Reusable Bags shall be made of either polyester, polypropylene, cotton, or other durable material, or durable plastic that is at least 3.0 mils in thickness.
- h. "Reusable Straw" shall mean a Straw that is specifically designed and manufactured for multiple reuse. Reusable Straws shall be made of either glass, stainless steel, silicone, durable and reusable plastic, or other similar durable material.
- i. "Single-Use Plastic Carry-Out Bag" shall mean a bag made of plastic or other similar material that is provided by a Commercial Establishment to a customer at or around the point of sale that is not a Reusable Bag, Recyclable Paper Bag or Compostable Plastic Bag. A "Single-Use Plastic Carry-Out Bag" shall not include the following:
 - i. Bags in which loose produce or products are placed by a consumer to deliver such items to the point of sale or check-out area of a Commercial Establishment;
 - ii. Laundry or dry-cleaner bags;
 - iii. Newspaper bags;
 - iv. Bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent moisture;

- v. A non-handled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a Reusable Bag, Recyclable Paper Bag or Compostable Plastic Bag; and
 - vi. Any bags provided for use by a Commercial Establishment operated by the Commonwealth of Pennsylvania, or otherwise distributed by a federal, Commonwealth, or local government agency.
- j. “Single-Use Plastic Straw” shall mean a Straw provided by a Commercial Establishment that is not a Reusable Straw, Recyclable Paper Straw, or Compostable Straw. A “Single-Use Plastic Straw” shall not include Straws provided under the following circumstances:
- i. When provided with a beverage on private property used as a residence;
 - ii. When provided by a state, federal or local government agency;
 - iii. When packaged with beverages prepared and packaged outside of the Borough, provided such beverages are not altered, packaged or repackaged within the Borough;
 - iv. When provided as an assistance device to reasonably accommodate a disability.
- k. “Straw” shall mean a tube designed or intended for transferring a beverage from its container to the mouth of the drinker by suction or for the stirring of a beverage.

3. Requirements.

A. Distribution of Single-Use Plastic Carry-Out Bags.

- a. Any Commercial Establishment that distributes a Single-Use Plastic Carry-Out Bag shall sell the bag for no less than ten cents (\$0.10) per bag. All monies collected pursuant to this Chapter shall be retained by the Commercial Establishment.
- b. Any charge for a Single-Use Plastic Carry-Out Bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the “Plastic Carry-Out Bag Charge” thereon.
- c. Nothing in this section shall be read to preclude Commercial Establishments from making Reusable Bags, Recyclable Paper Bags or Compostable Plastic Bags available for sale to customers.

B. Distribution of Single-Use Plastic Straws.

- a. The Distribution of Single-Use Plastic Straws by Retail Establishments within the Borough is prohibited.
- b. Nothing in this section shall be read to preclude Commercial Establishments from making Reusable Straws, Recyclable Paper Straws, or Compostable Straws available for sale to customers.

4. Enforcement.

- a. The Borough Code Enforcement Officer, and any other persons appointed by Borough Council, shall have the authority to do inspections, issue citations, pursue prosecutions, and enforce the provisions of this Chapter.
- b. If it is determined that a violation has occurred, the designated Code Enforcement Official shall issue a warning notice to the Commercial Establishment.
- c. If an additional violation of this Chapter occurs after a warning notice has been issued for an initial violation, the Code Enforcement Official shall issue a notice of violation to the Commercial Establishment and, upon conviction thereof, the Commercial Establishment shall be sentenced to pay a fine, as set forth below, together with the costs of prosecution, including court costs and attorneys' fees for services in connection with enforcement, such fee amounts being the solicitor's contracted then-current hourly rate(s) with the Borough. Commercial Establishments shall be strictly liable for the violations of their employees.
- d. The penalty for each violation that occurs after the issuance of the warning notice shall be a fine of no more than:
 - i. \$100.00 for the first violation;
 - ii. \$200.00 for the second violation in the same year dating from the first violation;
 - iii. \$500.00 for the third and each subsequent violation in the same year dating from the first violation.
- e. In addition to the penalties set forth in this Chapter, the Borough may seek legal, injunctive, or other equitable relief to enforce this Chapter.

- 5. Exemptions.** Borough Council may, upon written request of a Commercial Establishment, exempt a Commercial Establishment from the requirements of this Chapter for a period of one (1) year from the effective date upon a finding by Borough Council that the requirements of this Chapter would cause undue hardship to the Commercial Establishment. An “undue hardship” shall be found only in the following circumstances or situations, and any exemptions may be provided by Borough Council with conditions:
- a. The Commercial Establishment has a unique circumstance or situation such that there are no reasonable alternatives to Single-Use Plastic Carry-Out Bags or Single-Use Plastic Straws;
 - b. Compliance with the requirements of this Chapter would deprive a Commercial Establishment of a legally protected right;
 - c. Additional time is necessary in order to draw down an existing inventory of Single-Use Plastic Carry-Out Bags or Single-Use Plastic Straws.

Section II. Repealer. In addition to the above, all other ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed. Further, it is understood and intended that all other sections, parts, provisions, and ordinances that are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

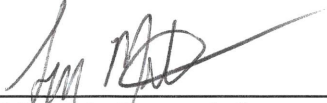
Section III. Severability. In the event that any section, sentence, clause, phrase or word of this Ordinance, including the incorporated Appendices, shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal law or laws of the Commonwealth of Pennsylvania.

Section IV. Effective Date. This Ordinance shall take effect six (6) months after its legal enactment.

Section V. Failure to Enforce Not a Waiver. The failure of the Borough of Narberth to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Borough Council of the Borough of Narberth, Montgomery County, Pennsylvania, this 17th day of October, 2018.

Attest:



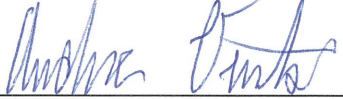
Sean Metrick, Borough Secretary

BOROUGH OF NARBERTH:

By: 

Aaron Muderick, Council President

Examined and approved as an Ordinance, this 17 day of October, 2018.



Andrea Deutsch, Mayor

Accounts Payable

Checks by Date - Detail by Check Number

User: eendresen
 Printed: 2/13/2019 3:00 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
ACH	10870 011119	PNC INSTITUTIONAL INVESTMENTS POLICE PENSION WITHHELD	01/15/2019		3,210.65
Total for this ACH Check for Vendor 10870:				0.00	3,210.65
ACH	11216 011119	VANTAGEPOINT TRANSFER AGENTS 401	01/15/2019		7,853.53
Total for this ACH Check for Vendor 11216:				0.00	7,853.53
ACH	11218 011119 011819	VANTAGEPOINT TRANSFER AGENTS 457 REFUND ON LOAN MILLER	01/15/2019		5,415.32 71.76
Total for this ACH Check for Vendor 11218:				0.00	5,487.08
ACH	11381 011119	VANTAGEPOINT TRANSFER AGENT ROTH IRA	01/15/2019		231.39
Total for this ACH Check for Vendor 11381:				0.00	231.39
ACH	10870 012519	PNC INSTITUTIONAL INVESTMENTS POLICE PENSION WITHHELD	01/31/2019		3,280.99
Total for this ACH Check for Vendor 10870:				0.00	3,280.99
ACH	11216 012519	VANTAGEPOINT TRANSFER AGENTS 401	01/31/2019		8,288.91
Total for this ACH Check for Vendor 11216:				0.00	8,288.91
ACH	11218 012319 012519	VANTAGEPOINT TRANSFER AGENTS 457 REFUND 457	01/31/2019	VOID	300.00 5,547.06
Total for this ACH Check for Vendor 11218:				5,847.06	0.00
ACH	11381 012519	VANTAGEPOINT TRANSFER AGENT ROTH IRA	01/31/2019		231.39
Total for this ACH Check for Vendor 11381:				0.00	231.39
95	11192 3639-JAN19	WEST PENN POWER WHITEHALL RD/W COLLEGE	01/31/2019 01.433.036		235.37
Total for Check Number 95:				0.00	235.37
267	10231 459776	CLEARFIELD WHOLESALE PAPER CO ICE MELTER ICE FOE W/ISOTROL/2	01/15/2019		526.20
Total for Check Number 267:				0.00	526.20

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
268	10509 1392734	HRI INC STOCK PATCH	01/15/2019		209.70
			Total for Check Number 268:	0.00	209.70
269	10644 011519	LOWES COMPANIES INC 50LB PERMNT ASPHALT	01/15/2019		22.74
			Total for Check Number 269:	0.00	22.74
270	11228 583784 584446	AMERICAN ROCK SALT COMPANY LI BULK ICE CONTROL SALT BULK ICE CONTROL SALT	01/31/2019		5,897.43 4,047.97
			Total for Check Number 270:	0.00	9,945.40
517	10607 VIN 107854	LAKE FORD LINCOLN INC TO PURCHASE 2019 FORD CRUISER SDN -	01/07/2019		28,488.00
			Total for Check Number 517:	0.00	28,488.00
518	10607 VIN 107855	LAKE FORD LINCOLN INC TO PURCHASE 2019 FORD CRUISER SDN -	01/07/2019		28,488.00
			Total for Check Number 518:	0.00	28,488.00
519	10184 010419 010419	CENTRE COMMUNICATIONS INC EQUIPMENT FOR FT-4 1 INTERCEPTOR SE EQUIPMENT FOR FT-6 PER PROPOSAL DTI	01/15/2019		11,887.52 11,887.52
			Total for Check Number 519:	0.00	23,775.04
520	10185 165781	CENTRE CONCRETE COMPANY CONCRETE BLANKET	01/15/2019		40.00
			Total for Check Number 520:	0.00	40.00
521	11558 30	ENVIRONMENTAL PLANNING & DESI FERGUSON TWP UPDATE ZONING ORD, ZC	01/15/2019		1,039.62
			Total for Check Number 521:	0.00	1,039.62
522	11675 NOV18 OCT18	GREENFIELD ARCHITECTS LTD PW GARAGE MONTHLY PROGRESS REPOF PW GARAGE MONTHLY PROGRESS REPOF	01/15/2019		1,727.00 6,846.00
			Total for Check Number 522:	0.00	8,573.00
523	10475 31771	HANSON AGGREGATES PA INC PAD FOR TUDEK BARN	01/15/2019		533.00
			Total for Check Number 523:	0.00	533.00
524	10509 1395463	HRI INC SILIVI BASEBALL COMPLEX IMP	01/15/2019		110,573.00
			Total for Check Number 524:	0.00	110,573.00
525	11332 7575	NTM ENGINEERING INC FERG TWP MISC SERVICES	01/15/2019		2,158.37
			Total for Check Number 525:	0.00	2,158.37

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
526	11774 5920	YSM SUBURBAN PARK MP	01/15/2019		4,444.68
			Total for Check Number 526:	0.00	4,444.68
527	10122 7207	BOROUGH OF STATE COLLEGE REIMBURSEMENT FOR THE DEC SERVICE	01/31/2019		301.95
			Total for Check Number 527:	0.00	301.95
528	11675 12	GREENFIELD ARCHITECTS LTD FERG TWP PW GARAGE	01/31/2019		2,585.80
			Total for Check Number 528:	0.00	2,585.80
529	11332 8026 8058	NTM ENGINEERING INC FERG TWP PUBLIC WORKS BUILDING PARK HILLS DRAINAGEWAY DESIGN	01/31/2019		2,065.50 7,637.50
			Total for Check Number 529:	0.00	9,703.00
530	11774 5945 5945	YSM SUBURBAN PARK MP SUBURBAN PARK MP	01/31/2019		1,071.58 1,071.57
			Total for Check Number 530:	0.00	2,143.15
8118	10000 74428021	1800RADIATOR RADIATOR	01/15/2019		230.00
			Total for Check Number 8118:	0.00	230.00
8119	11242 16NH-49M6-HH19 16VT-3F9C-VWKP 1DVC-H9F6-P64C 1HXW-379L-FVHD 1KQ4-TNHG-XG44 1LJX-HQ3J-RNDT 1LKP-CM9Q-3HQM 1WN1-6K6H-L11D	AMAZON CAPITAL SERVICES INC PATCH W/POLICE OFFICER/CUSTOM NAM DOUBLE PISTOL MAG POUCH/TOURNIQU TV WALL MOUNT BRACKET SURFACE PEN BEACHBODY SLIDES AND BANDS CABLE/TATICAL POUCH/SLING W/FLAG/S APPT BOOK PLANNERS PENS	01/15/2019		127.84 27.85 55.98 32.99 32.97 287.34 46.72 9.71
			Total for Check Number 8119:	0.00	621.40
8120	10049 43118	APMM 2019 APMM FULL MEMBERSHIP PRIBULK	01/15/2019		165.00
			Total for Check Number 8120:	0.00	165.00
8121	11239 81283 81640	ASAP HYDRAULICS STATE COLLEGE, HYDRAULIC FITTINGS HYDRAULIC HOSE	01/15/2019		260.16 87.26
			Total for Check Number 8121:	0.00	347.42
8122	10085 135879 136198 155719	BASTIAN TIRE & AUTO CENTERS COMPUTERIZED LASER ALIGNMENT TIRES GOODYEAR TRUCK TIRES PER ATTACHEE	01/15/2019		74.95 630.00 1,400.00
			Total for Check Number 8122:	0.00	2,104.95

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
8123	10100 R87601	BEST LINE EQUIPMENT EE MODEL R	01/15/2019		68.67
			Total for Check Number 8123:	0.00	68.67
8124	10120 110818	BORING COURT REPORTING BOARD OF VIEW CONDEMNATION OF STE	01/15/2019		612.00
			Total for Check Number 8124:	0.00	612.00
8125	10124 010119	KASANDRA BOTTI D O NARCAN MEDICAL DIRECTION FOR 2019	01/15/2019		250.00
			Total for Check Number 8125:	0.00	250.00
8126	10126 174524	BRADCO SUPPLY COMPANY FILTER	01/15/2019		112.00
			Total for Check Number 8126:	0.00	112.00
8127	11577 010119	CBICC 2019 MEMBERSHIP DUES PRIBULKA	01/15/2019		203.00
			Total for Check Number 8127:	0.00	203.00
8128	11221 14770 14770	CENTRE AREA TRANSPORTATION AU LOCAL CAPITAL FUNDING LOCAL OPERATING FUNDING	01/15/2019		4,472.50 27,143.25
			Total for Check Number 8128:	0.00	31,615.75
8129	10184 118561	CENTRE COMMUNICATIONS INC ANTENNA/COAX KIT	01/15/2019		66.16
			Total for Check Number 8129:	0.00	66.16
8130	10185 165461 165462 165684	CENTRE CONCRETE COMPANY SPARY CURE & SEAL SPARY CURE & SEAL SPARY CURE & SEAL	01/15/2019		742.50 742.50 -592.00
			Total for Check Number 8130:	0.00	893.00
8131	10197 1157926	CENTRE COUNTY RECYLING & REFU TIRES	01/15/2019		78.00
			Total for Check Number 8131:	0.00	78.00
8132	10203 3973707 4012804 4015688 103994009-1212	CENTRE DAILY TIMES ZHB MTG DEC 18TH AD FOR PROJ 2019-C13 STREET TREE PLA AD FOR PROJ 2019-C13 STREET TREE PLA AD FOR ORD OFFICER	01/15/2019		166.66 145.29 156.67 502.80
			Total for Check Number 8132:	0.00	971.42
8133	10207 110381	CENTRE REGION CODE ADMINISTRAT FIRE SAFETY PROGRAM 3 YEAR RENEWA	01/15/2019		160.00
			Total for Check Number 8133:	0.00	160.00
8134	11248 217724	CENTRO PRINT SOLUTIONS 1099 MISC/1099 S FORMS	01/15/2019		115.58

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 8134:	0.00	115.58
8135	10215 123108	WILLIAM CHAMBERS MILEAGE CHAMBERS	01/15/2019		30.52
			Total for Check Number 8135:	0.00	30.52
8136	11246 123118 123118 123118 123118 123118	CALEB CLOUSE 2018 GYM MEMBERSHIP CLOUSE 1ST QTR CLOTHING ALLOWANCE CLOUSE 2ND QTR CLOTHING ALLOWANCE CLOUSE 3RD QTR CLOTHING ALLOWANCE CLOUSE 4TH QTR CLOTHING ALLOWANCE CLOUSE	01/15/2019		50.00 187.50 187.50 187.50
			Total for Check Number 8136:	0.00	800.00
8137	10142 18FERGUSON-Q4	CNET 4TH QTR 2018	01/15/2019		5,179.75
			Total for Check Number 8137:	0.00	5,179.75
8138	11376 123118 123118 123118	COLONIAL AUTO SUPPLY BATTERIES SNOW BRUSHES ANTIFREEZE	01/15/2019		476.99 36.11 24.93
			Total for Check Number 8138:	0.00	538.03
8139	10244 74658491	COMCAST BUSINESS ETHERNET DEDICATED LINE	01/15/2019 VOID		
				1,050.00	
			Total for Check Number 8139:	1,050.00	0.00
8140	10282 2C264938 2W218088	CUMBERLAND TRUCK EQUIPMENT C ANTIFREEZE 12" CONVEX GRAY	01/15/2019		90.06 37.42
			Total for Check Number 8140:	0.00	127.48
8141	10284 13562	CUSTOM ALTERATIONS CHEVRONS	01/15/2019		78.00
			Total for Check Number 8141:	0.00	78.00
8142	10348 ES-304	ELA GROUP ES-304	01/15/2019		987.36
			Total for Check Number 8142:	0.00	987.36
8143	10373 123118	FAYETTE PARTS SERVICE INC PARTS	01/15/2019		19.99
			Total for Check Number 8143:	0.00	19.99
8144	10374 6-408-31551	FEDERAL EXPRESS STNDRD OVRNGHT RMA	01/15/2019		45.03
			Total for Check Number 8144:	0.00	45.03
8145	11217 011119	FERGUSON TOWNSHIP POLICE ASSOC POLICE UNION DUES	01/15/2019		420.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 8145:	0.00	420.00
8146	10380 123118	FERGUSON TOWNSHIP SUPERVISORS DEC 18 TIF TRANSFER TAX	01/15/2019		143,742.70
			Total for Check Number 8146:	0.00	143,742.70
8147	11355 24-4-22N-1756 24-4-22N-1756	FINE LINE HOMES CURB RELEASE 373, 24-4-22N-1756 CURB INTEREST 373, 24-4-22N-1756	01/15/2019		1,000.00 21.47
			Total for Check Number 8147:	0.00	1,021.47
8148	10396 010119 010119 010119 010119	FISHER AUTO PARTS ANTIFREEZE BELT/HORN/MUDFLAPS/LIGHT/TAPE/ DAYCO FEDERATED SYMAR RUBBER RESPIRATOR	01/15/2019		70.75 131.65 27.90 137.45
			Total for Check Number 8148:	0.00	367.75
8149	10409 51019	FRED CARSON DISPOSAL INC. COMMERCIAL WASTE SERVICE/RECYCLIN	01/15/2019		185.00
			Total for Check Number 8149:	0.00	185.00
8150	11518 GC00106041	GENERAL CODE 2019 CODIFICATION SERVICES	01/15/2019		1,195.00
			Total for Check Number 8150:	0.00	1,195.00
8151	10435 011519	GFOA PA 2019 MEMBERSHIP DUES MILLER	01/15/2019		75.00
			Total for Check Number 8151:	0.00	75.00
8152	10436 SURETY SURETY	GLENN O HAWBAKER INC SURETY RELEASE CURB-385 SURETY INTEREST	01/15/2019		22,489.50 55.07
			Total for Check Number 8152:	0.00	22,544.57
8153	11635 23888691	GREAT AMERICA FINANCIAL SERVICE COPIER LEASE 5052CI	01/15/2019		217.64
			Total for Check Number 8153:	0.00	217.64
8154	11264 PSO217206-1	GROFF TRACTOR & EQUIPMENT PIPE ASSY	01/15/2019		97.11
			Total for Check Number 8154:	0.00	97.11
8155	10493 6207000	HITE COMPANY THE POST TOP FIXTURE	01/15/2019		2,159.42
			Total for Check Number 8155:	0.00	2,159.42
8156	11497 010119	ICMA MEMBERSHIP RENEWALS 2019 ICMA DUES PRIBULKA	01/15/2019		897.00
			Total for Check Number 8156:	0.00	897.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
8157	10539 4214	IRVIN FARMS STRAW FOR VALLEY VISTA TEST PITS	01/15/2019		52.50
			Total for Check Number 8157:	0.00	52.50
8158	10568 130341	K & S DISTRIBUTION DIESEL FUEL SUPPLMENT	01/15/2019		373.20
			Total for Check Number 8158:	0.00	373.20
8159	11579 33707	LIFT, INC ANSI REPAIRS	01/15/2019		433.90
			Total for Check Number 8159:	0.00	433.90
8160	10644 011519 011519 011519 011519 011519 011519 011519 011519 011519 011519 011519 011519	LOWES COMPANIES INC GE 7FT 500-CCL MOUSE TRAPS FIX BASEMENT KITCHEN/WIRE/FLEX PIPE MUD FOR BASEMENT IMPACT DRILL/BATTERY 6 TOOL COMPACT DRYWALL/MUD SIGNS GORILLA GLUE/OUTLET/SUCTION CUPS PVC/WIRE/CABLE PLUG/TOGGLE 9IN HEAVY DUTY CAGE/5IN REFLECTIVE	01/15/2019		93.10 8.76 55.86 6.52 283.46 350.56 40.77 8.49 30.98 44.29 36.54 79.50
			Total for Check Number 8160:	0.00	1,038.83
8161	10669 010919	MAXWELL TRUCK & EQUIPMENT LL 3 EA SHOVELS	01/15/2019		144.00
			Total for Check Number 8161:	0.00	144.00
8162	10670 123118 123118 123118 123118	JONATHAN MAYER 1ST QTR CLOTHING ALLOWANCE MAYER 2ND QTR CLOTHING ALLOWANCE MAYER 3RD QTR CLOTHING ALLOWANCE MAYER 4TH QTR CLOTHING ALLOWANCE MAYER	01/15/2019		187.50 187.50 187.50 187.50
			Total for Check Number 8162:	0.00	750.00
8163	10673 010219 010219 010219 010219 010219 010219 010219	MCCARTNEYS INC POUCH, CLIPS, DIVIDER, BINDER, LABELS FOLDER AND NOTES CALENDARS CALENDARS CALENDARS CALENDARS CALENDARS	01/15/2019		101.68 15.50 3.98 5.97 29.85 27.86 9.95
			Total for Check Number 8163:	0.00	194.79
8164	10701 010319	MILLER WELDING SERVICE TREAD PLATES	01/15/2019 VOID		43.74
			Total for Check Number 8164:	43.74	0.00
8165	10712 1218298,1220651	MONARCH CLEANERS PW UNIF CLN DEC 18	01/15/2019		448.57

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	123118	POLICE UNIF CLN DEC 18			217.00
	123118	CHIEFS DRY CLN DEC 18			14.45
			Total for Check Number 8165:	0.00	680.02
8166	10760	NOERRS GARAGE	01/15/2019		
	123118	BATTERY BOX COVER/BRAKE CHAMBER/			1,042.37
			Total for Check Number 8166:	0.00	1,042.37
8167	10762	NORTH CENTRAL DIGITAL SYSTEMS	01/15/2019		
	INV302387	COPIER LEASE KYOCERA/ECOSYSM3550II			108.80
			Total for Check Number 8167:	0.00	108.80
8168	11332	NTM ENGINEERING INC	01/15/2019		
	7177	ES-341			612.00
	7177	ES-384			229.50
	7177	ES-374			106.98
	7177	ES-389			259.98
	7177	ES-390			153.00
			Total for Check Number 8168:	0.00	1,361.46
8169	10773	OLD DOMINION BRUSH	01/15/2019		
	6427227	ELEMENT/FILTER			274.73
			Total for Check Number 8169:	0.00	274.73
8170	10784	PA CHAPTER OF APA	01/15/2019		
	2019-067	2019 DUES STOLINAS			102.00
			Total for Check Number 8170:	0.00	102.00
8171	10785	PA CHIEFS OF POLICE ASSOCIATION	01/15/2019		
	10437	2019 MEMBERSHIP RENEWAL ALBRIGHT/C			150.00
	2099	2019 ACCREDITATION PROGRAM ANNUAL			1,000.00
			Total for Check Number 8171:	0.00	1,150.00
8172	10798	PA ONE CALL SYSTEM	01/15/2019		
	797844	MONTHLY ACTIVITY FEE/KARL SUPPLEM			88.72
			Total for Check Number 8172:	0.00	88.72
8173	11785	PARADIGM PROPERTIES	01/15/2019		
	111918	ES-340			938.00
			Total for Check Number 8173:	0.00	938.00
8174	10836	PENN STATE UNIVERSITY	01/15/2019		
	GS000055652	UNIF DISPOSAL 2018			70.32
			Total for Check Number 8174:	0.00	70.32
8175	10837	PENN TERRA ENGINEERING INC	01/15/2019		
	42772	THISTLEWOOD-MEADOWVIEW DRIVE-TR			975.00
	42890	THISTLEWOOD-MEADOWVIEW DRIVE-TR			325.00
			Total for Check Number 8175:	0.00	1,300.00
8176	10845	PENNSYLVANIA MUNICIPAL HEALTH	01/15/2019		
	013119	HEALTHCARE INS FEB 19			82,022.46

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	013119	EYECARE INS FEB 19			688.42
	013119	DENTAL INS FEB 19			3,572.45
					<hr/>
				Total for Check Number 8176:	0.00 86,283.33
8177	10846	PENNSYLVANIA MUNICIPAL LEAGUE	01/15/2019		
	43268	2019 DUES			2,264.32
	43481	L3P MEMEBERSHIP			65.00
					<hr/>
				Total for Check Number 8177:	0.00 2,329.32
8178	10864	PITNEY BOWES GLOBAL FINANCIAL	01/15/2019		
	3307907773	POSTAGE RENTAL			122.01
					<hr/>
				Total for Check Number 8178:	0.00 122.01
8179	10882	PORTAGE POWER WASH INC	01/15/2019		
	18642	COIL			1,470.00
	18643	HOSE/AQUA ROCKET			325.00
					<hr/>
				Total for Check Number 8179:	0.00 1,795.00
8180	10896	PROFORMANCE FUEL INJECTION SER	01/15/2019		
	8909	FIX ENGINE WORK ON PW19			3,254.64
					<hr/>
				Total for Check Number 8180:	0.00 3,254.64
8181	10926	RED THE UNIFORM TAILOR	01/15/2019		
	M276437	SHIRT/TROUSERS			221.41
	M276438	TROUSERS			133.91
	M276438A	SHIRTS			222.16
					<hr/>
				Total for Check Number 8181:	0.00 577.48
8182	10935	RHOMAR INDUSTRIES INC	01/15/2019		
	92889	APPLICATORS			204.19
					<hr/>
				Total for Check Number 8182:	0.00 204.19
8183	10939	RITTER TECHNOLOGY LLC	01/15/2019		
	W61499-001	SWIVEL NUT ELB			12.43
					<hr/>
				Total for Check Number 8183:	0.00 12.43
8184	10973	SAMS CLUB DIRECT	01/15/2019		
	011519	COFFEE/TISSUES/TRASH BAGS/C-FOLD TC			902.56
					<hr/>
				Total for Check Number 8184:	0.00 902.56
8185	10992	SHERWIN WILLIAMS	01/15/2019	VOID	
	2817-7	PAINT		100.71	
	2817-7	PAINT		95.01	
	3140-3	CART		86.57	
	3143-7	CART		-27.11	
	3328-1	PAINT TRAY		7.22	
					<hr/>
				Total for Check Number 8185:	262.40 0.00
8186	11017	SOSMETAL PRODUCTS INC	01/15/2019		
	1360689	BUSHING/WIRE TIES/DUCT TAPE/HOSE CL			340.61
	1360793	FLOUR TIE COMBO PACK/PARTS CLEANIN			94.68

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 8186:	0.00	435.29
8187	11621 791322	ST MARYS INSURANCE AGENCY INC 2019 RENEWAL TREASURY BOND PRIBULI	01/15/2019		625.00
			Total for Check Number 8187:	0.00	625.00
8188	11037 113906 130212	STATE COLLEGE FORD LINCOLN INC BODY REPAIR/ REAR MOLDINGS AND LIG HANGLE ASY	01/15/2019		1,012.50 25.21
			Total for Check Number 8188:	0.00	1,037.71
8189	11050 123118	STOCKER CHEVROLET INC CONNECTOR/LINK/SENSOR/STEERING CO	01/15/2019		762.95
			Total for Check Number 8189:	0.00	762.95
8190	11763 85474062-0001 85474062-0002 85748149-0001	SUNBELT RENTALS, INC. HOT WATER PRESSURE WASHER RENTAL VELOCITY FAN STUMP GRINDER RENTAL	01/15/2019		203.60 144.00 384.28
			Total for Check Number 8190:	0.00	731.88
8191	11298 29315-7/30	SUSQUEHANNA VALLEY PROFESSION EOB	01/15/2019		20.00
			Total for Check Number 8191:	0.00	20.00
8192	10481 110203 110203	THE HARTMAN GROUP 2019 WORKERS COMP CONSULTING 2019 PROP/LIAB CONSULTING FEE	01/15/2019		1,875.00 2,375.00
			Total for Check Number 8192:	0.00	4,250.00
8193	11115 16839	TRAF O TERIA SYSTEM 1000 EA TRAF O TERIA ENV W/WHITE SPO	01/15/2019		225.15
			Total for Check Number 8193:	0.00	225.15
8194	11136 6144440	U S MUNICIPAL SUPPLY INC SIGNS	01/15/2019		182.02
			Total for Check Number 8194:	0.00	182.02
8195	11159 9821381519	VERIZON WIRELESS AIRTIME CARD	01/15/2019		1.89
			Total for Check Number 8195:	0.00	1.89
8196	11551 69148879	WELLS FARGO COPIER LEASE 3010I	01/15/2019		131.33
			Total for Check Number 8196:	0.00	131.33
8197	11190 785933	WESCO RECEIVABLES CORP LUCALOX	01/15/2019		85.26
			Total for Check Number 8197:	0.00	85.26
8198	11201	WINDSTREAM	01/15/2019		

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	011119	LONG DIST DEC 18			38.54
	011119	LONG DIST DEC 18			35.59
	011119	LINE/BASIC SERV DEC 18			142.70
	011119	LINE/BASIC SERV DEC 18			285.44
	011119	LINE/BASIC SERV DEC 18			285.44
			Total for Check Number 8198:	0.00	787.71
8199	11203 S1907114	WITMER PUBLIC SAFETY GROUP INC PANTS	01/15/2019		69.80
			Total for Check Number 8199:	0.00	69.80
8200	10016 020119	AFLAC INSURANCE WELLAR	01/31/2019		176.77
			Total for Check Number 8200:	0.00	176.77
8201	10031 141244	ALLIED MECHANICAL & ELECTRICA FIX AIR CONDITIONING UNIT	01/31/2019		75.00
			Total for Check Number 8201:	0.00	75.00
8202	11242 171R-3XFC-CDCW 171R-3XFC-CDCW	AMAZON CAPITAL SERVICES INC FIT BIT ZELLER FIT BIT ZELLER	01/31/2019		59.95 70.00
			Total for Check Number 8202:	0.00	129.95
8203	11702 013119	BLUE KNOB AUTO JAN-19 UNDERCOVER VEHICLE	01/31/2019		300.00
			Total for Check Number 8203:	0.00	300.00
8204	11224 65051	CAMPBELL DURRANT BEATTY PALO GRIEVANCE FILED BY ROSE/POLICE TENC	01/31/2019		1,548.63
			Total for Check Number 8204:	0.00	1,548.63
8205	10201 012519	CENTRE COUNTY UNITED WAY U-WAY	01/31/2019		88.00
			Total for Check Number 8205:	0.00	88.00
8206	10203 4022233 4022233 4025980	CENTRE DAILY TIMES BOS MTG JAN 7TH BOS MTG JAN 7TH BOS MTG ORD AMND CODE CHPTR 27 PR1	01/31/2019		98.77 98.77 415.86
			Total for Check Number 8206:	0.00	613.40
8207	11618 012919	CLEAN WATER CENTRAL PA SALT	01/31/2019		240.00
			Total for Check Number 8207:	0.00	240.00
8208	10231 460196	CLEARFIELD WHOLESALE PAPER CO WIPER WORKSHORSE	01/31/2019		136.40
			Total for Check Number 8208:	0.00	136.40
8209	11376 123118	COLONIAL AUTO SUPPLY BATTERY AND DEL FILTERS	01/31/2019		176.68

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 8209:	0.00	176.68
8210	10243 10006-JAN19 10007-JAN19	COLUMBIA GAS OF PA INC OFFICE GAS GARAGE GAS	01/31/2019		1,241.75 2,020.45
			Total for Check Number 8210:	0.00	3,262.20
8211	10244 74658491	COMCAST BUSINESS ETHERNET DEDICATED LINE	01/31/2019		1,050.00
			Total for Check Number 8211:	0.00	1,050.00
8212	11793 013019	CORE MORTGAGE SERVICES LLC ES-1109	01/31/2019		250.00
			Total for Check Number 8212:	0.00	250.00
8213	11790 61729	ESCO, INC. CENTRAL MONITORING SERV/ANNUAL FI	01/31/2019		480.00
			Total for Check Number 8213:	0.00	480.00
8214	10364 93583008	ESRI INC ARCGIS DESKTOP RENEWAL MAINTENAN	01/31/2019		4,900.00
			Total for Check Number 8214:	0.00	4,900.00
8215	11217 012519	FERGUSON TOWNSHIP POLICE ASSOC POLICE UNION DUES	01/31/2019		420.00
			Total for Check Number 8215:	0.00	420.00
8216	11518 PG000017246	GENERAL CODE CODE ANALYSIS/COMPOSITION/DUPLIKA	01/31/2019		750.22
			Total for Check Number 8216:	0.00	750.22
8217	11787 1337	I.C.L.E.I. LOCAL GOVERNMENTS FOR 2019 ANNUAL MEMBERSHIP DUES FOR PC	01/31/2019		600.00
			Total for Check Number 8217:	0.00	600.00
8218	11791 20712251	JOHNSON CONTROLS INC ANNUAL FIRE ALARM PARTS & LABOR AT	01/31/2019		1,838.00
			Total for Check Number 8218:	0.00	1,838.00
8219	10620 022219	LEADERSHIP CENTRE COUNTY CONTRIBUTOR FOR LCC 2019	01/31/2019		350.00
			Total for Check Number 8219:	0.00	350.00
8220	11704 010119 010119 010119 010119 020119 020119 020119 020119	MADISON NATIONAL LIFE LTD INS JAN 19 VOL LIFE INS JAN 19 LIFE AD&D INS JAN 19 STD INS JAN 19 LTD INS FEB 19 VOL LIFE INS FEB 19 LIFE AD&D INS FEB 19 STD INS FEB 19	01/31/2019		640.60 442.13 572.18 635.41 640.60 442.13 572.18 635.41

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
			Total for Check Number 8220:	0.00	4,580.64
8221	10674	MCCORMICK TAYLOR INC	01/31/2019		
	1	ES-382			620.00
	20	ES-387			775.00
			Total for Check Number 8221:	0.00	1,395.00
8222	10701	MILLER WELDING SERVICE	01/31/2019		
	010319	ALUM TREAD PLATE			43.74
	012219	1/8 X 2" X 12			19.80
			Total for Check Number 8222:	0.00	63.54
8223	11792	NATIONAL RESEARCH CENTER	01/31/2019		
	7124	THE NATIONAL CITIZENS BASIC SERVICE			9,975.00
			Total for Check Number 8223:	0.00	9,975.00
8224	10757	NITTANY OIL COMPANY	01/31/2019		
	161631	PW FUEL			699.20
	161631	DIESEL FUEL			6,653.22
	161631	POLICE FUEL			2,796.80
			Total for Check Number 8224:	0.00	10,149.22
8225	11332	NTM ENGINEERING INC	01/31/2019		
	8026	ES-387			76.50
	8026	ES-394			1,388.40
			Total for Check Number 8225:	0.00	1,464.90
8226	11700	PETS COME FIRST	01/31/2019		
	013119	JAN 19 & FEB 19 DROP OFF STRAY ANIMAL			200.00
			Total for Check Number 8226:	0.00	200.00
8227	10918	R H MARCON INC	01/31/2019		
	863984	SEALED OPEN AREAS AT THE TOP OF THE			142.93
			Total for Check Number 8227:	0.00	142.93
8228	10927	REDLINE SPEED SHINE	01/31/2019		
	1992	FLEET MEMBERSHIP MONTHLY CHARGE			260.33
			Total for Check Number 8228:	0.00	260.33
8229	10957	ROY BROOKS WELDING INC	01/31/2019		
	7600	2" SH 80PIPE			105.00
			Total for Check Number 8229:	0.00	105.00
8230	10992	SHERWIN WILLIAMS	01/31/2019		
	2817-7	PAINT			95.01
	3143-7	CART			-27.11
	3328-1	PAINT TRAY			7.22
	3410-3	CART			86.57
			Total for Check Number 8230:	0.00	161.69
8231	11035	STATE COLLEGE BOROUGH WATER A	01/31/2019		
	020419	OFFICE COMPLEX			316.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	020419	MAINT BLDG			139.50
	020419	BLDG #3			61.00
					<hr/>
Total for Check Number 8231:				0.00	516.50
8232	11692	BRIAN D. WAKEFIELD	01/31/2019		
	010119	1ST QTR CLOTHING ALLOWANCE			187.50
	010119	2ND QTR CLOTHING ALLOWANCE			187.50
	010119	3RD QTR CLOTHING ALLOWANCE			187.50
	010119	4TH QTR CLOTHING ALLOWANCE			186.78
					<hr/>
Total for Check Number 8232:				0.00	749.28
8233	11173 02-53270	WALKER & WALKER EQUIPMENT II I STIHL BLOWER	01/31/2019		279.95
					<hr/>
Total for Check Number 8233:				0.00	279.95
8234	11192	WEST PENN POWER	01/31/2019		
	0873-JAN19	WHITEHALL RD/W COLLEGE	01.433.036		54.06
	1054-JAN19	W COLLEGE AVE	01.433.036		54.87
	1966-JAN19	225 SCIENCE PARK RD	01.433.036		38.34
	2239-JAN19	S WATER ST	01.433.036		22.65
	2449-JAN19	WESTERLY PKWY BLUE CR	01.433.036		30.55
	2510-JAN19	W CHERRY LN MARTIN ST	01.433.036		59.61
	2691-JAN19	SCIENCE PARK ROAD	01.433.036		40.17
	2711-JAN19	SCIENCE PARK ROAD	01.433.036		81.13
	3377-JAN19	BRISTOL AVE	01.433.036		43.86
	5290-JAN19	1901 CIRCLEVILLE ROAD	01.433.036		46.61
	5727-JAN19	OFFICE COMPLEX	01.409.036		1,477.79
	5843-JAN19	1301 W COLLEGE AVE	01.433.036		15.52
	6113-JAN19	GARAGE/MAINT BLDG	01.409.036		507.75
	6150-JAN18	OLD GATESBURG ROAD	01.433.036		111.04
	6651-JAN19	BIKE TUNNEL	01.433.036		145.11
	6725-JAN19	BLDG #3	01.409.036		205.46
	6735-JAN19	N HILLS DR	01.433.036		18.99
	7407-JAN19	PGM-BLINKER-WEST	01.433.036		8.46
	7595-JAN19	1282 N ATHERTON ST	01.433.036		47.10
	7852-JAN19	PGM-BLINKER-EAST	01.433.036		8.46
	7920-JAN19	N ATHERTON ST	01.433.036		2.34
	8100-JAN19	2100 W COLLEGE AVE	01.433.036		58.85
	8136-JAN19	BLUE COURSE DR & HAVENSHIRE DR	01.433.036		44.98
	9110-JAN19	W COLLEGE AVE	01.433.036		46.18
	9975-JAN19	AARON DR MARTIN ST	01.433.036		45.88
					<hr/>
Total for Check Number 8234:				0.00	3,215.76
8235	11194 020419	WEX BANK FUEL	01/31/2019		4.98
					<hr/>
Total for Check Number 8235:				0.00	4.98
8236	11262 8134	X-PERT COMMUNICATIONS SERVER REBOOT FOR INFINIAS SYSTEM	01/31/2019		150.00
					<hr/>
Total for Check Number 8236:				0.00	150.00
12519	11216 correction	VANTAGEPOINT TRANSFER AGENTS to correct the 401a for 012519	01/25/2019 to correct 401 amount for 012		0.05
					<hr/>
Total for Check Number 12519:				0.00	0.05

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
123119	11390 BT1346925	BAKER TILLY VIRCHOW KRAUSE, LL PREPARATION OF FEDERAL FORM 990 PF	01/15/2019		1,100.00
				Total for Check Number 123119:	0.00
					1,100.00
123120	11035 020419	STATE COLLEGE BOROUGH WATER A 425 PARK CREST LANE-DOG PARK	01/31/2019		16.00
				Total for Check Number 123120:	0.00
					16.00
123121	11139 1964148	UNIVERSITY AREA JOINT AUTHORIT 425 PARK CREST LANE	01/31/2019		104.00
				Total for Check Number 123121:	0.00
					104.00
123122	11192 6563-JAN19	WEST PENN POWER 425 PARK CREST LANE	01/31/2019 93.454.249		74.41
				Total for Check Number 123122:	0.00
					74.41
125191	11218 012519	VANTAGEPOINT TRANSFER AGENTS to record the 457 payment for 012519	01/25/2019 to record the 457 payment for		5,418.65
				Total for Check Number 125191:	0.00
					5,418.65
125192	11218 endresen	VANTAGEPOINT TRANSFER AGENTS to record endresen reinvest loan refund	01/25/2019 to record the 457 payment for		300.00
				Total for Check Number 125192:	0.00
					300.00
				Report Total (153 checks):	7,203.20
					654,456.80

February 1, 2019

Township of Ferguson
3147 Research Drive
State College, PA 16801

Attn: Mr. Jeffrey Ressler, Zoning Administrator

**RE: State College Borough Water Authority
Variance Submittal Authorization**


Mr. Ressler:

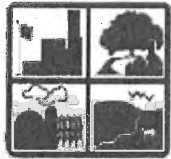
It is my understanding that the State College Borough Water Authority is submitting a variance application for consideration by the Ferguson Township Zoning Hearing Board which involves my property located at 3061 Ernest Lane, State College, PA 16803, also known as Tax Parcel No. 24-003-007K-0000. The State College Borough Water Authority is assisting me in seeking the variance, which, if granted, will permit subdivision of the property and the sale of a portion of it to the State College Borough Water Authority for construction of a water filtration plant. As such, the State College Borough Water Authority is acting as my agent in submitting the variance application.

I hereby authorize the State College Borough Water Authority to submit the variance application on my behalf for consideration at the next meeting of the to Ferguson Township Zoning Hearing Board.

Thank you.

Sincerely


Gary E. Myers



Township of
FERGUSON
Pennsylvania

Planning & Zoning Department

**Ferguson Township, Centre County, Pa.
Application for Zoning Variance/Appeal Hearing**

Application for a Hearing must be filed in the name of the owner of record or in the name of the holder of an option or a contract to purchase, or in the name of the lessee if authorized under a lease.

The application must be completed in full and the following must accompany the application:

1. Thirteen (13) copies of the application.
2. Thirteen (13) copies of a diagram or site plan (as outlined on page 3).
3. For a Variance Hearing a non-refundable filing fee of \$300.00 (make check payable to Ferguson Township).
 - For an Appeal Hearing a filing fee of \$500.00 (make check payable to Ferguson Township). The Appeal Hearing fee is refundable if the applicant prevails in the appeal of a notice of violation.
 - If applying for both a Variance Hearing and an Appeal Hearing both the Variance fee of \$300.00 and the Appeal fee of \$500.00 must be paid to the Township.
4. A copy of the applicant's deed or other instrument showing authority to file this application must be attached.
 - If the instrument attached does not contain a legal description, a legal description must be provided.

All material should be submitted to the Ferguson Township Zoning Office no later than 5:00 PM on the fourth Monday of the month. All incomplete applications will not be processed.

Email kbeldin@gdfengineers.com

ENTRY OF APPEARANCE

Name Kenneth W. Beldin, Jr., P.E.

Address 3121 Fairway Drive, Altoona, PA 16602

I am appearing on my own behalf (Check if this is true.)

I am representing State College Borough Water Authority

Please send me notice at the above address of any final decisions in this matter.

WAIVER OF STENOGRAPHIC RECORD

I agree to waive the requirements of Section 908(7) of the Pennsylvania Municipalities Planning Code which requires that a stenographic record of the proceedings be made, and consent that a record of the proceedings be prepared from a tape recording of the hearing and the recording secretary's minutes.

Applicant's Signature _____

Date _____

The undersigned hereby applies to the Ferguson Township Zoning Hearing Board for a hearing under the provisions of the Ferguson Township Zoning Ordinance affecting the following premises in the manner herein described.

Applicant State College Borough Water Authority

Address 1201 West Branch Road, State College, PA 16801

Phone FAX Phone: (814) 238-6766 Fax: (814) 238-2175

Owner Same as applicant (see enclosed letter)

Address _____

Phone FAX _____

3061 Ernest Lane, State College, PA 16803

1. Location of premises 3062 Ernest Lane, State College, PA 16803

24-003-007K-0000 (3061 Ernest Lane)

2. Centre County Tax Map Parcel Number 24-003-007F-0000 (3062 Ernest Lane)

3. Present zoning Rural Agricultural (RA)

4. How long has the applicant held an interest in the property? Thirty-Six (36) Years

Agricultural Purposes (3061 Ernest Lane)

5. Present use of the premises Water Production Facility (3062 Ernest Lane)

Agricultural Purposes (3061 Ernest Lane)

6. Proposed use of the premises Water Production Facility (3062 Ernest Lane)

7. Explain extent of proposed alteration(s), if any: See attached narrative

8. Describe all existing structures, including type size and height: _____

See attached narrative

9. Has the property been involved in previous zoning hearing(s)? YES If so, describe date of hearing, nature of hearing and outcome of hearing:

See attached corrected Notice of Decision

10. For new construction or alterations:

a) Have plans been submitted to the Zoning Officer? _____ NO

b) Has he/she reviewed, approved, and signed the plans? _____ NO

c) Has he/she issued a permit? _____ NO

11. For a variance hearing, describe the provisions or regulations of the Ferguson Township Zoning Ordinance under which application for a variance is sought:

See attached narrative

12. For an appeal hearing, describe the alleged misinterpreted or misapplied provision of the ordinance which will be relieved by granting this appeal:

See attached narrative

13. A variance will be granted only upon the showing of an unnecessary hardship meeting all of the following criteria:

a) The unnecessary hardship is caused by unique physical circumstances in the size, shape or topography of the lot.

b) Because of the unnecessary hardship so caused, the lot cannot be developed in conformity with the Zoning Ordinance.

c) The unnecessary hardship was not created by the applicant. a) Key map showing the generalized location of the property.

d) The variance, if granted, would not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the public welfare.

e) The variance would be the minimum necessary to afford relief and would be the least possible modification of the Zoning Ordinance.

Describe hardship, as listed above, which will be relieved by granting this variance:

See attached narrative

14. Attach a diagram or site plan showing the following:

- a) Key map showing the generalized location of the property.
- b) North point.
- c) Name and address of all abutting property owners.
- d) Total tract boundaries of the property showing approximate distances and a statement of total acreage of the tract.
- e) All existing streets including streets of record (recorded but not constructed) on or abutting the tract including names and right-of-ways.
- f) If relevant to the application, existing sewer lines, water lines, fire hydrants, utility lines, culverts, bridges, railroads, watercourses, and easements.
- g) All existing buildings or other structures and approximate location of all tree masses.

15. List all abutting property owners. Include full name, address, and telephone numbers

Gary E. and Carol J. Myers, 3061 Ernest Lane, State College, PA 16803
Phone: (814) 237-8383

Galen E. Dreibelbis, 265 Blue Course Drive, Suite C1, State College, PA 16803
Phone: (814) 238-0091

Lindsey H. Kiefer, 2990 Ernest Lane, State College, PA 16803
Phone: (814) 360-1110

David M. and Jennifer E. Myers, 650 West Cherry Lane, State College, PA 16803
Phone: (814) 238-0339

Rodney A. and Sharon L. Erickson, 2941 Ernest Lane, State College, PA 16803
Phone: (814) 238-7570

Robert E. Poole, Jr., 2121 Old Gatesburg Rd., Ste. 200, State College, PA 16803
Phone: (814) 272-8899

FOR STAFF USE ONLY:

- Plans submitted
- Advertised
- Posted
- Fee Paid

Revised
09/14/2017

Zoning Variance Request Narrative
Ferguson Township, Centre County, Pennsylvania
State College Borough Water Authority
Nixon Well Field Water Treatment Facility

Project Background

The State College Borough Water Authority (the Authority) wishes to construct a new water treatment facility adjacent to their existing Nixon well field property located at 3062 Ernest Lane. The Authority is currently in the negotiation phase of obtaining 2.98 acres of property from an adjacent property owner. In order to access the new treatment facility and provide utility interconnections to the existing well field, five (5) variances to the Ferguson Township Municipal Code, Chapter 27 (Zoning) are being requested by the Authority. In addition to these five (5) variances, a variance to Chapter 27, §27-205.1.A (Lot Requirements) is necessary to obtain the 2.98 acres mentioned above.

The existing site and proposed property acquisition are both located in the Rural Agricultural (RA) zoning district as delineated on the current Ferguson Township Zoning Map. The current potable water treatment at the well site is accessed from Ernest Lane and consists of the treatment of raw water supplied by three (3) wells located onsite. Additional raw water from four (4) offsite wells located at the Kocher well field approximately 1.8 miles southwest of the Nixon well field. After treatment, the finished water is sent to the distribution system for consumption by customers. Fluctuating turbidity (water cloudiness) levels and the presence of organic contaminants such as endocrine disrupters, pharmaceuticals and personal care products have been detected in raw water samples taken from both of the existing well fields. In order to provide higher quality water and remove these contaminants, the Authority is proposing to construct a new membrane filtration system which will remove suspended particulates and a granulated activated carbon (GAC) system which adsorbs the organic contaminants.

The Nixon well field site is bisected by an existing tributary of Beaver Branch which ultimately discharges to Spruce Creek. Due to the nature of the karst topography and carbonate bedrock present in this area of Ferguson Township, the tributary to Beaver Branch is not a stream in the traditional sense. The existing geology in the vicinity of the Nixon well field allows for rapid infiltration of rainfall over the contributing drainage area and no quantifiable amount of runoff has been seen in the tributary channel in over thirty-five (35) years of operation at the Nixon well field. The tributary also does not exhibit a defined bed and bank and appears as a wide, shallow parabolic channel within the site. This is typical of a large number of the streams that contribute to both Spring Creek and Spruce Creek, however the existing tributary to Beaver Branch may theoretically convey runoff during very large storm events and has been defined as a 100-year floodplain by the Federal Emergency Management Agency (FEMA). The limits of this floodplain are shown on Flood Insurance Rate Map (FIRM) Panel No. 42027C0618F for Ferguson Township and are also defined as a floodway on the current Ferguson Township Zoning Map. The tributary to Beaver Branch is also subject to the requirements of the Riparian Buffer Overlay District listed §27-213 of the Ferguson Township Code.

The subsurface geology consists of relatively deep bedrock based on preliminary electric resistivity tomography (ERT) testing and geotechnical investigation. Deep bedrock will allow for minimal rock excavation thereby reducing the risk of fracturing the bedrock which could possibly lead to accelerated contaminant transport to groundwater sources and sinkhole production.

The proposed location of the treatment facility indicated on the enclosed Variance Site Plan has been selected due to the vicinity of the existing utility infrastructure (i.e. raw and finished water transmission mains, three-phase electrical power, etc.), as well as placing the improvements outside of Wellhead Protection Zone I. The location of the facility is intended to also minimize impacts to existing sensitive environmental features to the maximum extent practicable while providing a water treatment facility which is suitable to treat the raw water contaminants mentioned above. The existing environmental features located on the well site include, but are not limited to, the 100-year floodplain/floodway and associated fifty (50) foot riparian and floodplain/floodway buffer, wetlands and existing forest stands. In order to protect these environmental features and exclude the treatment facility from Wellhead Protection Zone I, additional land area is necessary from the adjoining property owner (Tax Parcel No. 24-003-007K-0000).

The project was previously considered by the Zoning Hearing Board on March 28, 2017 at which time the variances requested in this application were tabled. A copy of the revised decision letter dated April 20, 2017 is enclosed for reference.

General Reasons and Hardships for Variance Requests

In order to provide a serviceable water treatment facility at the Nixon well field, variances to some requirements of Chapter 27 (Zoning) of the Ferguson Township Code are necessary. The variances may be granted by the Zoning Hearing Board upon the presentation of an unnecessary hardship meeting the following criteria:

- a) The unnecessary hardship is caused by unique physical circumstances in the size, shape or topography of the lot.**

To allow access to the parcel of land which is currently being obtained by the Authority from a neighboring property owner and to provide continuity with existing operations at the Nixon well field, crossing of the existing floodplain and riparian buffers by an access road and utilities is necessary. Facility construction, as well as existing infrastructure, in and within close proximity to FEMA floodplains/floodways is sometimes unavoidable when constructing water treatment facilities due to geographical locations of the water sources. Additionally, the land which is being obtained for construction of the treatment facility is in currently in nonconformance due to the lot size being less than 50 acres as required by current RA zoning regulations.

- b) Because of the unnecessary hardship so caused, the lot cannot be developed in conformity with the Zoning Ordinance.**

The use of the property was and continues to be a water production facility used for public water supply. The original development of the Nixon well site took the need for an additional treatment facility into consideration and those anticipated additional needs took into account the current zoning regulations at that time. In order to meet future potable water treatment requirements, expansion and improvement to the treatment process at the existing well field is necessary, up to and including a new water treatment facility.

- c) The unnecessary hardship was not created by the applicant.**

When the property was initially developed as a public water supply, enough land was obtained to allow for the construction of an additional facility in the future should the need for further treatment arise. Since this time of development, requirements and regulations have been enacted by both Ferguson Township and the Pennsylvania Department of Environmental Protection (PADEP) which affect the allowable use of certain portions of well site property. As such, several variances are necessary to provide access to the proposed treatment facility and provide interconnections to existing utility infrastructure located at the Nixon well site.

The parcel of land which is to be obtained by the Authority was subdivided in 1987 at which time the parcel acreage was set at 44.9 acres. Since the time that the subdivision was prepared, the minimum lot area in the RA zoning district has been established as 50 acres for agricultural uses. At the time this minimum lot acreage was established, the previously recorded parcel was placed immediately into nonconformance.

- d) The variance, if granted, would not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the public welfare.**

The granting of variances to the requested sections of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

- e) The variance would be the minimum necessary to afford relief and would be the least possible modification of the Zoning Ordinance.**

The variances that are being requested are the minimum relief necessary to construct the water treatment facility and appurtenant structures and granting of the requested variances is in keeping with the general intent of the zoning ordinance.

Variance Requests

1. Variance to §27-213.4 - (Riparian Buffer Overlay Zoning District Requirements)

The requirements of §27-213.4 stipulate that “any use or activity not authorized within Subsection 3 shall be prohibited within the Riparian Buffer Overlay Zoning District.”

In order to provide adequate services and access to the proposed treatment facility and interconnections to the existing well buildings and appurtenant structures, disturbance to the existing riparian buffer and the associated floodplain / floodway cannot be avoided. Also, due to the stormwater management (SWM) requirements of Chapter 26 of the Ferguson Township Code and existing site topography, it is necessary to encroach upon the riparian buffer. This encroachment is required to allow the discharge of managed stormwater runoff to an adequate outfall and conveyance of said runoff to the existing, onsite tributary of Beaver Branch.

As indicated on the enclosed Variance Site Plan, the encroachments into the riparian buffer and floodplain / floodway have been minimized to the maximum extent practicable. Accordingly, the removal of some of the existing vegetation within the riparian buffer will be required for the construction of the improvements mentioned above. Relief to the requirements of §27-213.4 is necessary to provide adequate access and essential services to the proposed treatment facility while satisfying other chapters of the Ferguson Township Code, namely Chapter 26 (Stormwater Management).

The granting of a variance to this section of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

2. Variance to §27-801.1 - (Floodplain Conservation)

A portion of the project, namely and access road and grading, is located in Flood Zone A as delineated on Flood Insurance Rate Map (FIRM) Panel No. 42027C0618F prepared and distributed by the Federal Emergency Management Agency (FEMA). Zone A is defined as an area which is subject to inundation by the 1% annual chance (100-year) flood, but for which no base flood elevations (BFEs) have been determined. More simply, a detailed hydrologic and hydraulic (H&H) study has not been performed by FEMA for this area of Ferguson Township.

As per §27-801.1 of the zoning ordinance, “for these areas, elevation and floodway information from federal, state or other acceptable sources shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site. In lieu of the above, the municipality may require the applicant to determine the one-hundred-year flood elevation with detailed hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualification, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to

allow a thorough technical review by the Township. Where a difference exists between these two documents, the document which delineates the greater area shall be used. Any changes to the data contained in the Flood Insurance Study are subject to the approval of the Federal Insurance Administration.”

The Authority is not proposing to perform a detailed H&H analysis for this project and is utilizing the limits of the floodplain obtained from the digital FIRM map (DFIRM) which was obtained directly from FEMA. The limits of floodplain obtained from the DFIRM also concur with the limits of the 100-year floodplain boundary provided on the Pennsylvania Spatial Data Access (PASDA) website.

The floodplain limits obtained from these sources crosses several existing topographic features (i.e. site contours and grade) in a manner which would be inconsistent with the limits that would be calculated by an independent, detailed H&H study. As such, the Authority is seeking a variance to the requirements of §27-801.1 of the Ferguson Township Code to utilize the limits of the FEMA boundary as the limits of the floodplain. The limits obtained from FEMA will provide a more conservative location for the floodplain boundary as opposed to an independent, detailed H&H study and does not require that a Letter of Map Revision (LOMR) be processed and approved by FEMA.

The granting of a variance to this section of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

3. Variance to §27-801.1.C.(1) - (Floodplain Conservation)

The requirements of §27-801.1.C.(1) state that “all new construction or development (including substantial improvements) are prohibited” within the limits of the floodplain. While it is understood that utility and road crossings of the riparian buffer are allowed as conditional uses as per §27-213.3.A.(2)(a), no such conditional use for crossing the floodplain are provided for the access road, utility crossings or stormwater management (SWM) discharge locations in §27-801. Due to this fact, the Authority requests relief from the requirements of §27-801.1.C.(1) to construct the crossings mentioned above. All required permitting for the disturbance within the floodplain/floodway will be obtained through the Centre County Conservation District and/or DEP prior to implementation and construction.

A bituminous paved road is proposed in front of Well Building No. 43 to provide access to the new treatment facility from Ernest Lane. The road crosses the existing floodplain/floodway approximately perpendicular to the floodplain boundary at this location. A rudimentary hydrologic and hydraulic (H & H) study was performed at this location to verify the construction of the proposed road will have a de minimis impact on the 100-year water surface elevation. A single cross section was taken along the proposed roadway and an analysis was performed for both pre- and post-development conditions as indicated on the enclosed drawings.

A hydrologic analysis was completed for the entire drainage area to the project area. The drainage area to the site consists of 460 acres which is comprised of forested areas and

agricultural land uses. Existing soils carry a Hydrologic Soil Group (HSG) rating of 'A' or 'B' for the entire drainage area. HSG ratings range in value from 'A' to 'D' with 'A' having the least potential to produce runoff and 'D' having the most potential to generate runoff. The time of concentration (t_c) for the drainage area was calculated using the NRCS segmental method. The existing land uses, HSG ratings and t_c were entered in the TR-55 (Urban Hydrology for Small Watersheds) computer program to calculate the 100-year runoff rate for the watershed.

It was assumed that the entire drainage area is underlain with carbonate rock and karst topography and a reduction in the peak runoff rate generated by TR-55 is warranted to more accurately reflect the peak runoff rate for the watershed. A karst loss modification value was obtained from Technical Bulletin No. 2 distributed by the Virginia Department of Conservation and Recreation. For a 100-year storm event the karst loss modification value is 0.50 and this value is simply multiplied by the peak runoff rate generated by TR-55. The resulting modified peak rate is 43.8 cubic feet per second (cfs) for a 100-year storm event.

Cross sectional information for the site topography was then entered into the Hydraulic Toolbox computer program which is supplied by the Federal Highway Administration (FHWA) to calculate the 100-year water surface elevations. Friction loss coefficients (Manning's 'n' values) for each land use were also entered in the program for pre- and post-development conditions to determine the impacts to the 100-year floodplain/floodway water surface elevation (WSEL) which are caused by the proposed road. The change in water surface elevation from pre-development conditions (WSEL = 1178.96) to post-development conditions (WSEL = 1178.93) is a reduction of 0.03 feet or approximately 1/3 of an inch. The reduction is due to the removal and grading of a slightly elevated area adjacent to Well Building No. 43. The grading in this area is necessary for the removal of two (2) evergreen trees for the construction of the new road.

It should also be noted that the remaining portions of the proposed roadway will be located at existing grade and will have no effect on the remainder of the analyzed section. Additionally, the 100-year water surface elevations indicated in this supplemental information may not correspond to the limits of the FEMA floodplain indicated on the plans. As the 100-year water surface elevation is reduced by a negligible amount, it is requested that a variance to cross the floodplain/floodway and the associated non-disturbance and riparian buffers be granted by the Ferguson Township Zoning Hearing Board.

The placement of the utility crossings will have no impact on the 100-year water surface elevation as the are disturbed for their installation will be backfilled and restored to pre-development grades.

Relief to the requirements of §27-801.1.C.(1) is necessary due to the items mentioned above. The granting of a variance to this section of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

4. Variance to §27-801.1.H - (Floodplain Conservation)

This section of Chapter 27 stipulates that “no activity, land development, structure, building or obstruction shall be permitted within an identified floodway portion of the Floodplain District.” As defined in §27-1202, the floodway and the floodplain are congruent in this instance and disturbance to the floodway is required as described in Variance Request No. 3. The Authority requests a variance to the requirements of §27-801.1.H in conjunction with the request for a variance to §27-801.1.I of the Ferguson Township Code.

The granting of a variance to this section of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

5. Variance to §27-801.1.I - (Floodplain Conservation)

This section of Chapter 27 requires that “a land buffer remaining in its natural condition shall be not less than 100 feet separating the permitted use from the edge of the top of the bank of the watercourse. The 100 feet distance is to start from the outermost edge of the watercourse measured in a perpendicular direction to the approved use. A fifty-foot land buffer remaining in its natural condition shall be provided between the permitted use and the edge of the floodplain as defined by FEMA.”

The tributary to Beaver Branch which bisects the site does not exhibit a defined channel bed and bank and appears as a wide, shallow parabolic channel within the site and as such the 100 foot non-disturbance buffer cannot be determined. Additionally, the non-disturbance buffer of fifty (50) feet that is concurrent with the riparian buffer must be disturbed to provide adequate access, services and stormwater discharges as stated in Variance Request No. 3 above. The Authority requests a variance to the requirements of §27-801.1.I in regards to the disturbance to the floodplain buffer.

The granting of a variance to this section of Chapter 27 will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

**6. Variance to §27-205.1.A - (Lot Requirements) and
§27-903 - (Nonconforming Uses and Structures)**

This section of Chapter 27 requires that “all lots created after the effective date of this chapter shall be no less than the minimum lot size and width requirements stipulated for each use in the district regulations...” The existing use of the property (Tax Parcel No. 24-003-007K-0000) from which the Authority wishes to acquire 2.98 acres is agricultural tilling and the raising of livestock. As per Table 301 (Chapter 27, Attachment 11 – Criteria and Standards for the Rural Agricultural [RA] District), Primary Use No. 1, the minimum lot area for this use is 50 acres. The existing parcel was subdivided in 1987 at which time the parcel acreage was set at 44.9 acres. Under current RA zoning district regulations, the parcel is in nonconformance to lot area requirements and is subject to the requirements of §27-903 regarding nonconforming uses.

As stipulated in §27-903.1.B.(4), “provided that the alteration or extension meets the district regulations for such use or structure as if same were being altered or extended in the district where such use is permitted.” The intention of removing 2.98 acres from Tax Parcel No. 24-003-007K-0000 is to append the subdivided lot to the existing Nixon well field property (Tax Parcel No. 24-003-007F-0000) to bring the total acreage of the Nixon well field property to approximately 18 acres. The current Nixon well field property is in conformance with the lot areas for water production facilities as stipulated in §27-204.1.SS.(6).

Removing 2.98 acres from Tax Parcel No. 24-003-007K-0000 to append to the Nixon well field property will not adversely affect the existing nonconforming use of the parent tract. The granting of a variance to these sections of Chapter 27 would be a de minimis change to the dimensional requirements for Tax Parcel No. 24-003-007K-0000 and will not alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the welfare of the public.

LIST OF ENCLOSED MATERIALS

- Section A - Nixon Well Field Deed (Book 410, Page 533)
- Section B - Tax Parcel No. 24-003-007K-0000 Deed (Book 639, Page 922 and Plat (Plat Book 37, Page 60)
- Section C - Ferguson Township Zoning Hearing Corrected Notice of Decision (dated April 20, 2017)
- Section D - Floodplain Drainage Area Calculations (TR-55 Computations and Technical Bulletin No. 2)
- Section E - Site Cross Section Hydraulic Computations
- Variance Site Plan (attached separately)
- Cross Section Location Plan and Cross Section Plan (attached separately)

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE STATE COLLEGE BOROUGH (WATER) AUTHORITY OF CERTAIN LANDS, EASEMENTS OR RIGHTS-OF-WAY CROSSING CERTAIN GROUNDS OR LANDS SITUATE IN FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA, FOR PUBLIC PURPOSES

No. 81-1582

JOHN W. HILES
RECORDER OF DEEDS
CENTRE COUNTY, PA.

ENTERED FOR RECORD
02 AUG 20 AM 9 40

AMENDED NOTICE OF FILING CONDEMNATION

1. Notice is hereby given that the Declaration of Taking filed to the above number and term has been amended pursuant to a pleading entitled Amendment to Declaration of Taking.
2. A copy of the said Amendment to Declaration of Taking is attached hereto as Exhibit 1 and made a part hereof.
3. The owners of said property are Leland Warren Nixon Estate, Central Counties Bank and Jaqueline R. Jamison, Trustees.
4. This notice shall be recorded by the Recorder of Deeds of Centre County and shall be indexed in the Deed Indices showing Leland Warren Nixon Estate, Central Counties Bank and Jaqueline R. Jamison, Trustees, as the grantors and the State College Borough (Water) Authority as grantee.

LITKE, LEE, MARTIN, GREEN & REITER

By: *[Signature]*
Joseph P. Green, Esquire
Attorneys for State College Borough
(Water) Authority

SWORN TO AND SUBSCRIBED
before me this 19th day
of August, 1982.

[Signature]
Notary Public, Centre County, Pennsylvania
My Commission Expires October 6, 1983

Litke, Lee, Martin, Green & Reiter

IN THE COURT OF COMMON PLAS OF CENTRE COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE)
STATE COLLEGE BOROUGH (WATER))
AUTHORITY OF CERTAIN LANDS,)
AND EASEMENTS OR RIGHTS-OF-)
WAY CROSSING CERTAIN GROUNDS)
OR LAND SITUATE IN FERGUSON)
TOWNSHIP, CENTRE COUNTY,)
PENNSYLVANIA, FOR PUBLIC)
PURPOSES)

No. 81-1582

LELAND WARREN NIXON ESTATE,)
CENTRAL COUNTIES BANK and)
JAQUELINE R. JAMISON,)
TRUSTEES)

AMENDMENT TO DECLARATION OF TAKING

The State College Borough (Water) Authority does hereby amend the Declaration of Taking in the above-captioned matter as follows:

5. The proposed legal description for 15.07 acres, more or less, to be acquired in fee, and a right-of-way for access to be acquired by the State College Borough (Water) Authority from Central Counties Bank and Jaqueline R. Jamison, Trustees of Leland Warren Nixon Estate, is shown as Amended Exhibit B, a copy of which is attached hereto.

LITKE, LEE, MARTIN, GREEN & REITER

By: Joseph P. Green
Joseph P. Green, Esquire
Attorneys for State College
Borough (Water) Authority

CERTIFIED from the records as entered
and filed in this office

1982
A.D. 1982
Kath C. Ludwig
Prothonotary and Clerk of the Court

- 1 -

BOOK 410 PAGE 534

STATE COLLEGE BOROUGH (WATER)
AUTHORITY

By: David A. Long
David A. Long, Chairman

Attest:

Bonnie Fohringer
Bonnie Fohringer, Secretary

SWORN TO AND SUBSCRIBED

before me this 19th day of

August, 1982.

Carl S. Spotted
Notary Public

Notary Public, Centre County, Pennsylvania
My Commission Expires October 5, 1983

Recorded in the office for the recording
of Deeds, etc. in and for Centre County
in Book No. 410 at page 535
20 day of Aug A.D. 19 82

Witness my hand and seal of office

John W. Miles
Recorder

LEGAL DESCRIPTION FOR 15.07 ACRES, MORE OR LESS, TO BE ACQUIRED IN FEE, AND A RIGHT-OF-WAY FOR ACCESS TO BE ACQUIRED BY THE STATE COLLEGE BOROUGH (WATER) AUTHORITY FROM CENTRAL COUNTIES BANK AND JACQUELINE R. JAMISON, TRUSTEE OF THE LELAND WARREN NIXON ESTATE

ALL that certain message, tenement and tract of land situate, lying and being in the Township of Ferguson, County of Centre and State of Pennsylvania, more accurately bounded and described as follows, to-wit:

BEGINNING at a point located south 28 degrees 39 minutes 15 seconds east 1,863.38 feet from an iron pin, marking the common corner of property now or formerly of the Leland Warren Nixon Estate, State Game Lands Number 176, and property of the Aikens Estate; thence by a new line through property now or formerly of Nixon north 61 degrees 20 minutes 45 seconds east 780.00 feet to a point; thence by same south 28 degrees 39 minutes 15 seconds east 159.00 feet to a point; thence by same north 61 degrees 20 minutes 45 seconds east 262.00 feet to a point; thence by same south 28 degrees 39 minutes 15 seconds east 511.00 feet to a point; thence by same south 61 degrees 20 minutes 45 seconds west 1,042.00 feet to a point; thence by land of Aikens Estate north 28 degrees 39 minutes 15 seconds west 670.00 feet to a point, the place of beginning.

CONTAINING 15.07 acres, more or less.

Together with an easement or right-of-way for the installation and maintenance of a water transmission line which shall consist of a permanent right-of-way of 15.00 feet in width and an additional temporary or construction easement of an additional 15.00 feet in width lying north of and adjacent to the 15.00 foot permanent right-of-way, the center line of said permanent right-of-way more accurately bounded and described as follows, to-wit:

1. BEGINNING at a point located 7.5 feet north of the common corner of the northerly edge of the right-of-way of Township Route Number 335, known also as Gatesburg Road and the southwesterly corner of property now or formerly of Charles Widmann; thence south 61 degrees 33 minutes 45 seconds west 1,121.42 feet to a point.
2. BEGINNING at a point 80 feet west of the westerly edge of the right-of-way of Township Route Number 334, also known as Nixon Road and 7.5 feet north of the edge of the right-of-way of said road; thence by a line parallel to the edge of the right-of-way of Nixon Road north 61 degrees 33 minutes 45 seconds east 72.50 feet to a point; thence along the westerly edge of the right-of-way of Township Route Number 334, also known as Nixon Road and 7.5 feet westerly therefrom, north 28 degrees 30 minutes west 1,502.64 feet to a point.

AMENDED EXHIBIT "B"

BOOK 410 PAGE 536

Together with an additional permanent easement or right-of-way 25.0 feet in width for the dual purpose of ingress, regress and egress to the 15.07 acre tract above described and installation and maintenance of a water transmission line, which easement or right-of-way is described according to a base line survey and shall be 10.0 feet in width on the southerly side of said base line hereinafter described and 15.0 feet in width on the northerly side of said base line hereinafter described. Use of the existing road or lane within the twenty-five (25) foot easement or right-of-way shall be in common with the condemnee.

BEGINNING at a point 12.0 feet west of base line station 83 plus 77.25, which point marks the westerly edge of the right-of-way of Township Route Number 334, also known as Nixon Road; thence by a base line along a private lane known as Nixon Farm Lane, the following courses and distances: south 61 degrees 22 minutes 30 seconds west 899.18 feet to a point; south 61 degrees 5 minutes 30 seconds west 497.10 feet to a point; south 61 degrees 41 minutes 30 seconds west 1,672.90 feet to a point; south 16 degrees 41 minutes 30 seconds west 110.30 feet to the edge of the 15.07 acre tract hereinabove described.

The above descriptions are based on a survey prepared for the State College Borough (Water) Authority by Triangle Engineering Company of State College, Pennsylvania, dated February, 1980.

1

BOOK 639 PAGE 922

State of
County of

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
PAID BY TRANSFER TAX JUL-1922
811173 81168

On this, the _____ day of _____, 19____, before me the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that _____ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

State College Area
STATE COLLEGE AREA
REALTY TRANSFER TAX
AMOUNT \$ _____
PAID *7/17/22* DATE AGENT

My Commission Expires _____
ES: _____
19____, before me
DATE AGENT

State of
County of

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
PAID BY TRANSFER TAX JUL-1922
811173 81168

On this, the _____ day of _____, 19____, before me the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that _____ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

My Commission Expires

Deed
WARRANTY DEED - Recorded and Sold by The Philadelphia Co., Wilmington, Pa. 1
Deed For
Folio
Condition
Recorded
Recorded in the Recorder's Office of Centre Co., Pa. 3
County of Centre
July 15th 1922
Hazel R. Peters
Recorder

Commonwealth of Pennsylvania
County of Centre ES:
RECORDED in the Office for Recording of Deeds, etc., in and for said County, in Book

ENTERED FOR RECORD
92 JUL - 1 AM 11: 24
HAZEL R. PETERS
RECORDER OF DEEDS
CENTRE COUNTY

Book No. 639, Page 922
WITNESS my Hand and Official Seal this 15th day of July, 1922
Hazel R. Peters
Recorder of Deeds

11

WARRANTY DEED

The Fleishbush Co.
Williamsport, Pa. 17701

*See file
8/1/68
6/1/68
1970*

This Deed,

MADE the 25th day of June

in the year nineteen hundred and ninety-two (1992)

BETWEEN GALEN E. DREIBELBIS and NANCY J. DREIBELBIS, his wife, of the Township of Ferguson, County of Centre and Commonwealth of Pennsylvania, and SCOTT L. YOCUM AND GLENDA C. YOCUM, his wife, of the Township of Harris, County of Centre and Commonwealth of Pennsylvania, parties of the first part,

AND

GARY E. MYERS and CAROL J. MYERS, his wife, of the Township of Ferguson, County of Centre and Commonwealth of Pennsylvania, parties of the second part,

WITNESSETH, That in consideration of Eighty-one thousand one hundred sixty-eight and 00/100 (\$81,168.00) Dollars,

in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees,

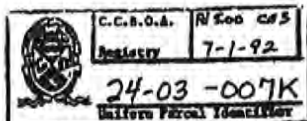
ALL that certain messuage, tenement and tract of land situate, lying and being in the Township of Ferguson, County of Centre, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point along the cul-de-sac at the western end of Ernest Lane and the western end of Lot 6B of the Dreibelbis Subdivision which is recorded in the Recorder of Deeds Office of Centre County in Plat Book 37, page 60, dated June 26, 1987; thence South 11° 30' 10" West 127.05 feet to a point in the center of the tree-wind break between Lot 6A and 6B of the Dreibelbis Subdivision; thence South 30° 52' 42" East, a distance of 1,390.61 feet to a point on the line now or formerly of the Winston Corporation; thence along the line of the lands of Winston Corporation and Lot 6A, South 59° 07' 18" West, a distance of 1,697.56 feet to a pin at the intersection of lands of Winston Corporation and now or formerly of Claude C. Aikens; thence in a northerly direction, North 31° 00' 00" West, a distance of 949.27 feet to a pin at the intersection of Aikens lands and lands of the State College Borough Water Authority; thence along lands of the Water Authority, North 58° 57' 40" East, a distance of 1,042.8 feet to a pin; thence continuing along lands of the Water Authority North 31° 02' 51" West, a distance of 311.16 feet to a pin at the intersection of the lands of the Water Authority and other lands of Gary and Carol Myers; thence along other lands of Myers North 58° 59' 47" East, a distance of 658.29 feet to a point; thence continuing along other lands of Myers, North 30° 35' 09" West, a distance of 55.28 feet to a point; thence along the radius of the cul-de-sac at the western end of Ernest Lane, whose radius is 50 feet, an arc of 118.06 feet, whose tangent is 121.59 feet and a chord of 97.49 feet, whose chord bearing is NORTH 81° 46' 05" East, to the point of beginning.

BEING Lot No. 6A in the Dreibelbis Subdivision and containing 44.90 acres.

BEING a portion of the property transferred to Galen E. Dreibelbis from Jacqueline Nixon Jamison and Mellon Bank, Co-Trustees for the Leland Nixon Estate dated July 26, 1986 and recorded in Deed Book 447, page 340. Also being a portion of the same premises conveyed by Galen E. Dreibelbis and Nancy J. Dreibelbis, his wife, to Scott L. Yocum and Glenda C. Yocum, his wife, by an unrecorded Article of Agreement dated December 8, 1986.

Being known as Centre County Uniform Parcel Identifier No. 24-03 -007K



BOOK 639 PAGE 923

BOOK 639 PAGE 924

AND the said grantor s will WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said grantor s have hereunto set their hands and seals, the day and year first above-written.

Sealed and delivered in the presence of
Galen E. Dreibelbis (MAR)
Nancy J. Dreibelbis (MAR)
Scott L. Yocum (MAR)
Glenda C. Yocum (MAR)

CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the grantor herein is as follows:
3061 ERNEST LANE
STATE COLLEGE 16803

Commonwealth of Pennsylvania
County of CENTRE } SS:

On this, the 25th day of June 19 92 before me, a Notary Public, the undersigned officer, personally appeared Galen E. Dreibelbis, Nancy J. Dreibelbis, Scott L. Yocum and Glenda C. Yocum, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.
Janet T. Fleming

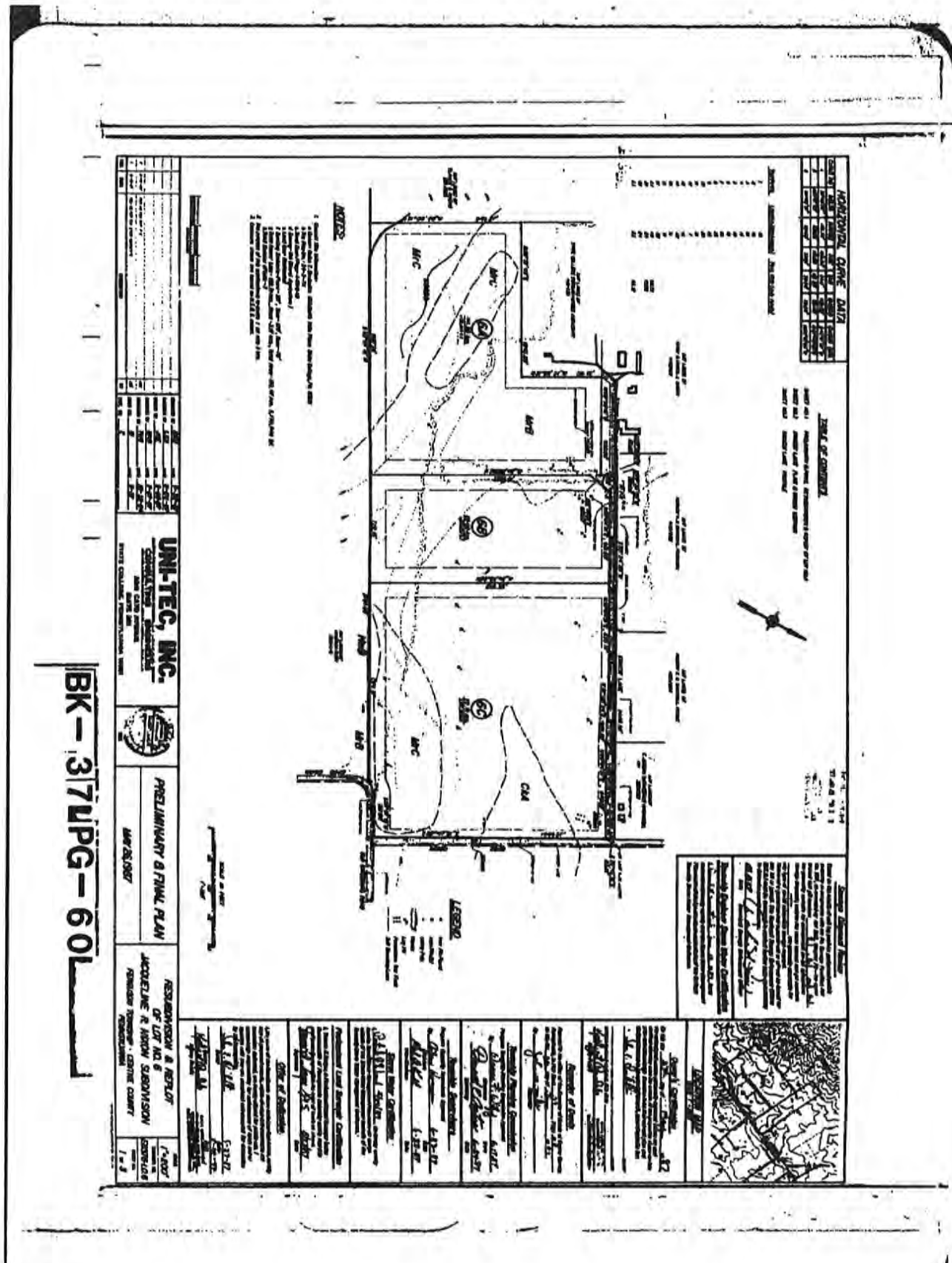
Commonwealth of Pennsylvania
County of } SS:

Notarial Seal
Janet T. Fleming, Notary Public
Ferguson Township, Centre County, PA.
My Commission Expires March 23, 1995

On this, the day of 19 , before me the undersigned officer, personally appeared known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that executed the same for the purposes therein contained.

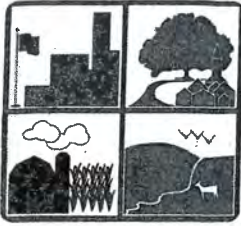
IN WITNESS WHEREOF, I have hereunto set my hand and seal.

My Commission Expires



BK-37UPG-601

1A



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us

April 20, 2017

Christopher Eckenrode and Kenneth Beldin
Gwin, Dobson & Foreman, inc.
3121 Fairway Drive
Altoona, PA 16602

Re: Corrected Notice of Decision

Dear Mr. Eckenrod and Mr. Beldin,

Enclosed please find the notice of decision from the Zoning Hearing Board Meeting of March 28, 2017 regarding the State College Borough Water Authority appeal and variance requests.

Respectfully,

Jeffrey S. Ressler
Zoning Administrator

cc: Office File
Tax Parcel File 24-003-007F
Variance File

BEFORE THE FERGUSON TOWNSHIP ZONING HEARING BOARD

In the matter of:
State College Borough Water Authority,
Applicant


Property Location:
3062 Ernest Lane
Tax Parcel Numbers: 24-003/007F

: Appeal from the Determination of the Zoning
: Officer re: Drainage Easement Requirements,
: Section 26-308.1.A
: Variance Requests:
: §27-204.1.A-1(2), Accessory Structures;
: §27-204.1.P(9), Potable Water Well pump;
: §27-213.4, Riparian Buffer Overlay;
: §27-301.2.A, Essential Service; Table 301
: §27-206.1, Yard Setbacks;
: §27-801.1.C(1), Flood Plain;
: §27-801.1, Flood Plain Buffer;
: §27-801.H, Floodway;
: §27-801.15, Landscaping;
: §27-801.1, Flood Plain Elevation.

CORRECTED
NOTICE OF DECISION

On March 28, 2017, the Zoning Hearing Board convened in the above captioned matter. During the hearing the Applicant withdrew its appeal from the determination of the Zoning Administrator concerning the drainage easement requirements of Section 26-308.1.A. At the conclusion of the testimony the Board **GRANTED** the request for a dimensional variance of one from the maximum allowed number of accessory structures (Section 27-204.1.A-1(2)) by a vote of 5-0. The Board **DENIED** the Applicant's requests for use variances from the requirements of Section 27-204.1.P(9) (Potable Water Well Pump Facility), and Section 27-301.2.A (Essential Services), each by votes of 5-0. The Board **TABLED** consideration of the remaining requested variances at the request of the Applicant.

The Board's Findings of Fact and Conclusions of Law will follow under separate cover.


Jeffrey S. Ressler, Zoning Officer

WinTR-55 Current Data Description

--- Identification Data ---

User: KWB Date: 3/15/2017
 Project: SCBWA Units: English
 SubTitle: NIXON WELL OVERALL DRAINAGE AREA Areal Units: Acres
 State: Pennsylvania
 County: Centre NOAA_B
 Filename: H:\JOBS\16049 SCBWA Nixon-Kocher WTF\Design\H&H Analysis\TR-55\FP DA.w55

--- Sub-Area Data ---

Name	Description	Reach	Area(ac)	RCN	Tc
DA		Outlet	460	44	1.337

Total area: 460 (ac) → SEE ATTACHED DRAINAGE AREA MAP

--- Storm Data ---

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.64	3.29	3.82	4.58	5.23	5.91	2.2

Storm Data Source: User-provided custom storm data
 Rainfall Distribution Type: Type II
 Dimensionless Unit Hydrograph: <standard>

KWB

SCBWA
NIXON WELL OVERALL DRAINAGE AREA
Centre NOAA_B County, Pennsylvania

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.64	3.29	3.82	4.58	5.23	5.91	2.2

Storm Data Source: User-provided custom storm data
Rainfall Distribution Type: Type II
Dimensionless Unit Hydrograph: <standard>

KWB

SCEWA
NIXON WELL OVERALL DRAINAGE AREA
Centre NOAA_B County, Pennsylvania

Watershed Peak Table

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period 100-Yr (cfs)
------------------------------------	--

SUBAREAS	
DA	87.61

REACHES

OUTLET	87.61
--------	-------

- ASSUME ENTIRE DRAINAGE AREA IS
UNDERLAIN BY CARBONATE GEOLOGY
AND ADJUST PEAK FLOW ACCORDINGLY.

- USE KARST LOSS MODIFICATION TABLE
(SEE ENCLOSED TECHNICAL BULLETIN
NO. 2 FROM VIRGINIA DEPARTMENT OF
CONSERVATION AND RECREATION)

- KARST LOSS MODIFICATION = 0.50 FOR 100-YEAR STORM

$$Q_{100, \text{KARST}} = Q_{100} (0.50) = 87.6 \text{ CFS} (0.50) = 43.8 \text{ CFS}$$

KWB

SCBWA
NIXON WELL OVERALL DRAINAGE AREA
Centre NOAA_B County, Pennsylvania

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
DA	Row Crop	SR + Crop residue	(good) A	132	64
	Row Crop	SR + Crop residue	(good) B	20	75
	Brush - brush, weed, grass mix		(fair) A	9	35
	Woods - grass combination		(good) A	47	32
	Woods		(good) A	216	30
	Woods		(good) B	9	55
	Farmsteads		A	20	59
	Farmsteads		B	7	74
	Total Area / Weighted Curve Number			460	44
				==	==

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4-5 HYDROLOGIC MODELING in KARST

Karst is a landscape in which underlying geologic strata are commonly riddled with caves, crevices, and cavities that alter “typical” surface runoff infiltration rates common in other non-karst areas. In Virginia, most karst lands are underlain by soluble limestone and dolomite, collectively referred to as “carbonate rock.

The limestone and dolomite valleys west of the Blue Ridge mountains are separated by narrow ridges largely composed of sandstone and shale. Lower ridges are often composed of sandy dolomites and limestones. Both of these terrains can exhibit extreme karst topography, with first and second order streams that abruptly, or gradually lose drainage to the cavernous subsurface, temporal streams with large subsurface drainage areas, “blind valleys” (i.e., large linear sinkholes that are often mistaken for adequate drainage ways), and *estavelles* or hydrologically-active sinkholes that normally receive drainage from surrounding areas, but also discharge water in time of flood (Jennings, 1985).

Obviously, karst areas present problems to those attempting to work with conventional hydrologic models. Typically, modeling of a karst site or watershed via SCS or other traditional methods provides poor representation of runoff rates, with regard to both flooding and over-design of conduits and stormwater management facilities. This is largely because standard hydrologic modeling methods lack allowances for losses into sinkholes, fractures, crevices or caves that may exist in the carbonate units. Neither do models typically account for the stormwater that joins surface runoff as “interflow” when the collective capacity of interconnected conduits and cavities in the subsurface is exceeded.

Pre-development runoff rates for karst areas versus non-karst areas can differ by a large percentage even when two sites exhibit similar soil and topographic characteristics. In addition, karst hydrology can be unpredictable from surface observations, in that the consistency of bedrock permeability, porosity, and stability and vary widely over a short distance. In the karst areas of western Virginia, the formation of conduits and caverns in the bedrock are directly related to the solubility of the carbonate rock, and the structural trends (bedding planes, faults, prominent fracture patterns, etc) imposed on the rock during geologic time. In the short term, karst collapses and basin fractures can occur along these trends during climactic extremes which result in flooding and subsequent rise in the water table elevation.

The identification of karst terrain in a project area should be based on local geology and soils maps, and on field verification of karst features. In some parts of the state, standard 1:24000 topographic maps show less than 50% of the karst features that can be detected with inexpensive field observation. Aerial photographs reviewed in stereo almost always provide useful information about the karst hydrology by enabling the identification of structural trends along which groundwater and surface drainage tend to flow. The presence of sinkholes, swales, sinking streams or dry stream beds, caves, and limestone/dolomite outcrops should be mapped in the earliest stages of planning a development. Initial reconnaissance should

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not be limited to the site, but should extend well beyond site boundaries in order to correctly identify large-scale karst features. Since the modes in which surface and ground waters interact can fluctuate dramatically in response to climatic change, karst features identified through photo-interpretation and field work should be observed under a wide range of weather conditions, especially during periods of runoff, flooding, or snowmelt, to accurately represent pre-development conditions.

The following reference is an excellent source of information for local governments and citizens living in areas underlain by karst topography: Living On Karst, A Reference Guide for Virginia Communities, 1996, Virginia Department of Conservation and Recreation, Division of Natural Heritage. Terri Brown, Project Coordinator, Route 4, Box 99-J, Staunton, VA 24401 (540) 332-9239

4-5.1 Karst loss

Karst loss is a term given to surface runoff loss into bedrock strata in areas underlain by limestone formation. Unlike other calculation factors, such as curve numbers (which deal with characteristics of the land surface), a karst loss factor is intended to depict projected losses into bedrock. The determination of karst potential in any given area may be simplified by the observation of noticeable indicators such as caves, crevices, limestone outcrops, sink holes, ponds that appear to lack sufficient contributing area, and disappearing streams. In other cases, karst infiltration areas may be difficult to identify since definitive karst features are not always obvious. Generally, a lack of natural drainage way erosion or inadequately sized drainage ways (for the size of the contributing area) may be clues to karst loss. Other observations may include undersized drainage conduits that never run full.

Accounting for karst loss in the hydrologic modeling is intended to more accurately simulate actual conditions in deriving runoff rates. Mapping of a geographic area (when limited in size) may be productive in defining a karst loss zone (an area underlain by karst bedrock). However, it should be noted that the delineation of such zones should be viewed as a method for estimating karst loss, not an accurate representation of the actual site-specific karst loss rate. Accurate karst loss modeling requires **extensive** field investigation at each site under consideration to obtain comprehensive information about sub-surface strata. In many cases the expenditure necessary to fully model a site is prohibitive. Therefore, as an alternative, karst loss projections may be comparatively simple and be fairly accurate. John C. Laughland P.E., County Engineer; Jefferson County, West Virginia, has investigated karst loss modeling and the following discussion is adapted from his research. Please note that this is one method of many and more detailed investigative guidance may be presented in the future to help identify the extent of karst loss.

Projecting karst loss in hydrologic modeling of limestone requires some specific examination (field inspection) of the subject area, along with a geologic examination of the underlying strata in order to predict the extent of the karst loss zone. It should be noted that many urban development sites, being relatively limited in size, will fall exclusively in or out of a karst loss zone. In these cases, the watershed

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need not be split into karst and non-karst areas.

The following procedure is recommended for estimating karst loss:

1. Delineate the contributing drainage area or watershed to be studied.
2. Define any sinkhole areas within the contributing drainage area where surface drainage has no means of escaping offsite, other than downward through the karst strata (i.e. cracks, sinks, etc.). These areas can be assumed to contribute no surface discharge and can be subtracted from the contributing drainage area from Step 1.
3. Determine the amount of the contributing drainage area (from Step 2) underlain by karst strata (in percent).
4. Calculate the peak rate of runoff from the contributing drainage area using standard hydrologic methods, and reduce the calculated value by multiplying by the *Karst Loss Modification Value* (Table 4-10) based on the percent karst (% Karst) calculated in Step 3.

Table 4-10 (developed using the *PSU-IV Program* by G. Aron et al) provides modifiers based on the percentage of the contributing area that is underlain by karst strata. The modifiers are used to adjust the peak rate of runoff calculated using standard modeling techniques. For example, the calculated 2-year peak discharge of 12 cubic feet per second (cfs) from a drainage area that has been determined to be underlain by 80% karst zone (with no observed sinkhole areas) would be reduced as follows:

$$12 \text{ cfs} \times 0.38 = 4.5 \text{ cfs}$$

This represents a peak rate reduction of 62%. Note that as the storm frequency decreases (i.e. 2-year frequency to 10-year frequency storm) the multiplier decreases and has less effect on the result. This is due to the fact that karst exerts less of an influence as the rainfall rate increases and underground voids fill with water.

There are other potential methods that can be utilized to model Karst, such as the use of a *TYPE I* rainfall distribution within a *TYPE II* karst area or the manipulation of the Runoff Curve Number (RCN) or *Initial Abstraction* (Ia) values (when using SCS methodology). Each method of manipulation, however, has both advantages and disadvantages in accurately representing the impacts of karst topography on runoff rates.

Adjustment for karst loss is recommended only when analyzing pre-development site conditions. The premise behind karst adjustment is to better approximate actual site conditions, which produce lower peak rates of runoff than that approximated without an adjustment factor. Once development occurs, karst

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features may become more obliterated from extensive site grading activity. Also, the addition of impervious cover, along with construction of a surface drainage system may offset karst losses that may be present. Therefore karst adjustment for post-developed conditions is not recommended.

TABLE 4 - 10
Karst Loss Modification Values

% Karst	Storm Return Frequency		
	(2)	(10)	(100)
100	.33	.43	.50
90	.35	.46	.56
80	.38	.51	.62
70	.47	.58	.68
60	.55	.66	.74
50	.64	.73	.80
40	.73	.80	.85
30	.82	.86	.89
20	.91	.92	.93
10	1.00	.98	.97
0	1.00	1.00	1.00

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4-5.2 Karst Surcharge

A topic not frequently noted in karst modeling is sinkhole surcharge. In this phenomenon, the opposite condition than that expected from karst loss occurs. Rather than dampening the runoff peak, there can be depressed surface areas, or sinkholes, that experience surcharge (flooding) during rainfall events. This is due to the connectivity of the underground conveyance network. These natural runoff detention areas may or may not be significant in the overall hydrology of a watershed, but they may exert substantial impact on small sites, subjecting development in the area to inundation. A shift of detention catchment to other offsite karst areas is also possible when onsite development activity fills a sinkhole. Karst is unpredictable and changes at the surface may bring about sub-surface hydrologic modification. Due to the complexity of karst, sinkholes or surface depressions should never be filled unless a comprehensive evaluation of the feature is completed first.

4-6 INVESTIGATION, DESIGN AND REMEDIAL MEASURES FOR AREAS UNDERLAIN BY CAVERNOUS LIMESTONE

This section is adapted from the New Jersey Soil Erosion and Sediment Control Design Manual published by the New Jersey Department of Agriculture. This guidance was developed to assist conservation district personnel, land owners, and consultants in the proper procedures for addressing areas where karst topography may pose a threat to development. While the guidance is not intended as a panacea of prevention and treatment techniques, it does provide information for an initial survey of an area suspected or known to be underlain by karst topography.

4-6.1 Introduction

Percolation of surface water can cause a migration of soil into solution cavities, forming "sinkholes" at the surface. Sinkholes cause instability of the land surface and must be given serious consideration in the development of erosion and sediment control (ESC) and stormwater management (SWM) plans. Sinkhole formation is often accelerated by construction activities that modify a site's hydrology or disturb existing soil and bedrock conditions. Ground failure in karst areas is most often caused by the alteration of drainage patterns, emplacement of impervious coverage, excessive grading, and increased loads from site improvements.

An awareness of the limitations to site development posed by karst features can prevent problems, including damage to property, structures and life, and contamination of ground water. Appropriate site testing, planning, design, and remediation help to prevent sinkhole formation during site development. Conventional methods of design and engineering may be inappropriate for karst areas. Often minor modifications in the approach to site testing and design can prevent persistent and costly post-development problems.

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4-6.2 Site testing for detection of potential karst-related problems

The most effective and economical approach to designing and installing a successful soil erosion and sediment control system in karst areas is to evaluate the potential for ground failure by first collecting easily obtainable information on surface and subsurface conditions prior to construction activities. To obtain geologic maps applicants may contact the Virginia Department of Mines, Minerals and Energy, Division of Mineral Resources.

Various methods are available to collect information about the bedrock and soil conditions at a proposed development site. These can range from inspecting topographic and geologic maps and aerial photographs of the site, to drilling test borings at the location of planned facilities. Professionals involved with projects in karst areas should make a special effort to observe signs of ground subsidence during development.

Site evaluation for karst features is usually carried out in two phases: (1) *preliminary site investigation*, done prior to site design and development, and (2) *site-specific investigation*, conducted once the decision is made to design a site plan and proceed with development.

Preliminary site investigation includes a review of topographic and geologic maps, soil surveys, aerial photography, and any previous technical reports prepared for the site. This phase of investigation should include a site visit, where the experienced professional studies the site terrain in an effort to locate any obvious features, such as rock outcrops, sinkholes, springs, caves, etc. The purpose of the preliminary investigation is to identify areas of concern that may require additional investigation, and to review the preliminary site design in relationship to potential problem areas. The preliminary site investigation will often result in immediate changes to the site layout to avoid future problems.

Site-specific investigation includes collecting subsurface information at sites identified as potential problem areas during the preliminary investigation. During the site-specific investigation process the professional may examine subsurface soil and geologic conditions using test pits, test borings, and geophysical instruments to evaluate the stability of soil and rock at locations of proposed site facilities. If unstable subsurface conditions are encountered, a decision can be made to proceed to remediate prior to construction or to modify the site layout to avoid problem areas. The record of findings during this phase of the investigation includes logs of test pits, probes and borings, noting evidence of cavities in soil and rock, loss of air pressure or drilling fluid during drilling, and the condition of soil and bedrock from samples collected.

A discussion of the various site investigation methods follows:

Geologic maps: Geologic maps contain information on the physical characteristics and distribution of the bedrock and/or unconsolidated surficial deposits in an area. Geologic features such as the strike and dip

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of strata, joints, fractures, folds, and faults are usually depicted. The orientation of strata and geologic structures generally controls the location and orientation of solution features in carbonate rock. Geologic contacts, faults, and certain fractures sets may be more prone to solution than others. The relationship between topography and the distribution of geologic units may reveal clues about the solubility of the specific rock units. Geologic maps are often available at various scales, the most common being 1:24,000. Digital geologic data may be available as well.

Aerial photography: Aerial photos are a simple, quick method of site reconnaissance. Inspection of photos can quickly reveal vegetation and moisture patterns that provide indirect evidence of the presence of cavernous bedrock. Piles of rock or small groups of brush or trees in otherwise open fields can indicate active sinkholes or rock pinnacles protruding above the ground surface. Circular and linear depressions associated with sinkholes and linear solution features and bedrock exposures are often visible when viewed in stereo image. Inspecting photos taken on more than one date can be especially valuable in revealing changes that take place over time. Images defined at wavelengths other than visible light can be useful in detecting vegetative or moisture contrasts.

Site visit: An on-site reconnaissance is an inexpensive, important step in finding potential site constraints. Although many karst features are obvious to the eye, it is an advantage to conduct the site visit with an individual knowledgeable in karst geology. Prior to the site visit field personnel should review geologic maps, topographic maps, and air photos to help anticipate where problems might be found. It is important to review drainage patterns, vegetation changes, depressions, and bedrock outcrops to look for evidence of ground subsidence. Sinkholes in subdued topography can often only be seen at close range. Disappearing streams are common in karst areas, and bedrock pinnacles that can be a problem in the subsurface will often protrude above the ground surface. A particularly simple and often overlooked part of the site visit is to interview the property owner. Often property owners can recount a history of problems with ground failure that may not be evident at the time of the site evaluation. The location of karst features should be noted on the site map for later reference. These can be compared to other information collected to assess the risk potential for karst-related problems.

Test pits: Test pit excavations are a simple, direct way to view the condition of soils that may reveal the potential for ground subsidence, and to inspect the condition and variability of the limestone bedrock surface where bedrock is sufficiently shallow. Soil texture is an important indicator of soil strength and, therefore, the ability of soils to bridge voids. An inspector should look for evidence of slumping soils, former topsoil horizons, and fill (including surface boulders, organic debris, and other foreign objects) in the test pit. Voids in the soil or underlying bedrock can be revealed. The presence of organic soils at depth is an indicator of potentially active sinkhole sites. Leached or loose soils may also indicate areas of existing or potential ground subsidence. Observations of this type should be recorded in the soil log.

Test probes: Test probes are performed by advancing a steel drill bit into the ground using an

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air-percussion-drilling rig. Probes can be installed rapidly and are an effective way to quickly test subsurface conditions. Penetration depths are usually less than 50 feet. During the installation of a test probe the inspector should be aware of the rate of advance of the drill bit, sudden loss of air pressure, soft zones, free-fall of the bit, and resistant zones. These observations can provide clues to the competency of the bedrock and the presence of cavities in soil or bedrock. The volume of fluid cement grout needed to backfill the probe hole can yield a measure of the size of subsurface voids encountered during drilling.

Test borings: Test borings often yield virtually complete and relatively undisturbed soil and rock samples. Borings may provide direct evidence of the presence and orientation of fractures, weathering, fracture fillings and the vertical dimensions of cavities, and provide undisturbed samples that can be subjected to laboratory testing. Use of a split inner core barrel in rock coring provides the most meaningful results, because this method collects a relatively undisturbed sample in the core barrel. Losses of drilling fluid can indicate the presence of soil or rock cavities. When drill holes are sealed, the volume of fluid cement grout placed in the drill hole can also yield a measure of the size of openings in the subsurface.

Geophysical methods: Geophysical methods can serve as a rapid reconnaissance tool to detect physical anomalies in the subsurface that may be caused by karst features. These methods are especially suited to surveying linear corridors, and are non-disruptive to the land. Geophysical data are often useful for extrapolating between locations where other sampling methods are used. Generally it is advisable to apply more than one geophysical technique, owing to the variability in physical properties of karst terrain. Geophysical methods require an experienced professional to interpret the data collected. The properties of weathered limestone, including a highly variable bedrock surface and soils with high clay content, often hinders the depth of penetration and resolution of geophysical signals and can compromise the effectiveness of geophysical surveys. Despite these limitations, geophysics can sometimes provide a cost-effective, relatively rapid means of determining the potential for problems with karst features, including the location of shallow bedrock and significant cavities in the soil or bedrock. Geophysical anomalies should be targeted for additional direct testing procedures.

4-6.3 Recommended Procedures When Karst Features Are Identified

The site investigations described above may reveal the location of suspected areas of ground subsidence. These findings should be compared to the proposed layout of site facilities. Wherever possible, facilities should be sited to avoid suspected areas of potential ground subsidence. Where relocation of facilities is not practical, remedial measures and design standards can be employed to minimize future ground failure. Remedial sealing of voids in the soil or bedrock and /or compaction of soil and rock voids may be a viable in some areas.

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Site Design and Construction

Site design and construction procedures can be important in reducing the risk of sinkhole development. Sinkholes most often form in areas where storm-water runoff is concentrated, where bearing loads are concentrated, and where ground water is pumped in large volumes. When development is proposed consideration should be given to the following general guidelines to minimize the risk of ground failure:

Minimize site disturbance, including cuts and fills and drainage alteration.

Minimize impervious surface so as to minimize the volume of surface runoff generated.

Employ storm-water management measures that minimize flow velocities and ponding to avoid erosion of over-saturated soils.

Waterproof pipefittings and pipe-to-basin fittings to minimize underground leaks. Leaks weaken and erode soils around underground conduits.

Place foundations on sound bedrock.

Erosion and Sediment Control Facilities

The selection, design, and implementation of ESC practices in karst areas should be guided by the following objectives and should incorporate the following design elements:

The site should be designed to take maximum advantage of topography. Modifications of site topography should be minimized.

Changes to the existing soil profile, including cuts, fills, and excavations, should be minimized.

Where practical, drainage facilities should consist of embankments at or above grade. Excavation into the existing soil profile to construct swales and basins should be minimized to the degree possible.

Temporary and final grading of the site should provide for drainage of storm-water runoff away from structures.

All SWM facilities, including grassed waterways, diversions and lined waterways, should be designed to disperse the flows across the broadest channel area possible. This reduces the level of soil saturation and reduces the potential for soil movement. Shallow trapezoidal channel cross

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sections are preferred over parabolic or v-shaped channels.

Sediment basins and traps should be used as a last resort for sediment control in karst areas, and should be used only after other designs have been considered and rejected. The ESC plan should attempt to minimize drainage area sizes and therefore the need for basins or large traps.

Vegetative cover should be established as rapidly as possible over exposed areas. Construction scheduling should strive to minimize the time that soil excavations are open and non-vegetated. This reduces the time that the site is exposed to periods of concentrated flows as well as preventing excessive drying of soils.

Utility trenches should be back filled with in-situ soils or low permeability fill material to discourage sub-surface water flow along the trench. Clay dams may be used at intervals along the trench excavation to impede subsurface flow along the trench. Trench backfill should be compacted to prevent future settlement and ponding. Backfill densities for open areas should exceed 90% of ASTM D-1557 maxima. Densities for areas supporting structures such as roadways should equal or exceed 95% ASTM D-1557 maxima. All underground piping should have water-tight fittings. The piping should be designed to withstand some limited displacement due to the probable ground settling and/or downward migration of trench bedding material into solution features.

Stormwater Conveyance

Stormwater conveyance structures to be used in karst areas should be designed in such a way as to dissipate overland flow over the largest area possible. Every attempt should be made to avoid concentration of flows and ponding. Grassed waterways can be effective storm-water-diversion structures in karst areas. Particularly effective are waterway designs that are shallow and broad, providing maximum bottom width and wetted perimeter to disperse flow over the greatest area.

SWM Facilities

SWM facilities are particularly vulnerable to collapse in karst areas because they are designed to concentrate and detain surface-water runoff. Ponding and associated soil saturation occur where surface-runoff is concentrated. Saturation of fine-grained soils that develop on weathered limestone can cause reduction in soil strength and erosion into bedrock voids.

Methods traditionally used to reduce or eliminate excessive seepage from an impounded area may have limited success in limestone areas. Traditional sealing methods include compaction, clay blankets, bentonite treatment and flexible membrane liners. The sealing of the solution channels in bedrock beneath the basin area can reduce seepage and soil displacement into underlying voids.

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When they function properly, SWM basins can be effective in removing contaminants commonly found in storm water, including heavy metals, nutrients, herbicides, pesticides, solids, and bacteria. Most of these contaminants are attenuated by sedimentation and soil filtration in the basin bottom. Sinkholes undermine the beneficial effects of basins on water quality by allowing introduction of untreated surface runoff directly to ground water. They "short-circuit" the hydraulic benefits of basins by allowing bypassing of outlet structures.

One strategy is to provide a pre-treatment which does not utilize the detention of stormwater to settle out or filter pollutants. Refer to **Minimum Standard 3.15** for manufactured water quality BMPs which can serve as pre-treatment devices or even spill containment BMPs for commercial/industrial development in karst areas. These structures will not eliminate the potential for karst collapse, however they do provide water quality benefits in order to minimize the potential for the contamination of groundwater.

SWM basin sites can be evaluated and facilities designed and retrofitted to guard against sinkhole formation and improve performance from a water-quality perspective. Testing procedures and design elements recommended to minimize detention basin failure include:

Minimize the coverage of the site by impervious surfaces, so that basin size will be minimized.

Evaluate soil texture. The basin should be constructed to minimize excessive seepage. Highly cohesive soils such as silt and clay loams may require minimum preparation of basin bottoms. Soils with low cohesive strength, such as sandy loams may require compaction and/or replacement or modification by the addition clay binders or the installation of clay or synthetic liners. Refer to **Minimum Standard 3.06**, Table 3.06-3 for clay liner specifications.

Investigate soils and bedrock below the basin for presence of voids. Repair existing voids and/or perform preventative grouting of basin substrate.

The following guidelines should be incorporated into the design and maintenance specifications of SWM basins constructed in karst topography:

- Basin profiles should be broad and flat to allow maximum dispersion of detained flow.
- Basin bottoms should be smooth to avoid ponding.
- Inlet and outlet structures should be designed to provide diffuse discharge of water; avoid concentration of flows. Under drains are preferred to provide gradual discharge of water and to avoid prolonged ponding of water.

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- Repair sinkholes that occur in basin after construction.

Response and Remediation of Sinkholes Occurring During Construction

It is possible for sinkholes to form during construction of a project. Sinkholes that occur during construction should be repaired immediately to prevent their enlargement and associated adverse impacts. When sinkholes occur during construction the site supervisor should take the following steps:

- Report the occurrence to the plan approving authority within twenty-four (24) hours of discovery;
- Halt construction activities in the immediate area of the sinkhole until it is stabilized. Secure the sinkhole area.
- Direct the surface water away from the sinkhole area, if possible, to a suitable storm drainage system.
- Communicate proposed remediation plan to the plan approving authority. Some jurisdictions may have local requirements for notification and review as well.
- Repair any damage to ESC measures and restore ground cover and landscaping;
- In those cases where the hazard cannot be repaired without adversely affecting the ESC design, the applicant should submit contact the plan approving authority for approval of changes to the plan.

The type of repair chosen for any sinkhole depends on its location, the extent and size of the void, the type of infrastructure planned for the sinkhole area. Sinkhole sealing methods can include the use of available on-site materials, dry or wet grout, filter material and geotextiles. General recommendations and references are available from the Department of Conservation and Recreation upon request.

All sinkhole remediation activities should be under the direct supervision of a geologist, or geotechnical engineer with experience in limestone investigations and remediation practices. A certified professional should perform all borings.

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(USDA manuals and handbooks can be obtained through the National Technical Information Service Research Department, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA, 22161, 703-487-4780, 703-321-8541 (fax))

Hydraulic Analysis Report

Project Data

Project Title:

Designer:

Project Date: Wednesday, March 15, 2017

Project Units: U.S. Customary Units

Notes:

Channel Analysis: SCBWA NIXON SECTION (EXISTING CONDITIONS)

Notes:

Input Parameters

Channel Type: Custom Cross Section

Cross Section Data (SEE PLAN SHEET No. 3)

Station ft	Elevation ft	Manning's n
0.00	1183.82	0.0300
30.63	1182.36	0.0300
67.18	1180.83	0.0300
96.87	1179.41	0.0300
107.29	1178.85	0.0300
118.37	1178.92	0.0300
129.92	1178.76	0.0300
168.60	1179.57	0.0300
184.03	1178.90	0.0300
186.71	1178.86	0.0300
189.34	1178.85	0.0160
242.15	1178.78	0.0160
256.76	1178.79	0.0160
288.93	1179.07	0.0160
316.78	1179.31	0.0160
354.27	1180.25	0.0160
365.34	1180.53	0.0160
405.85	1182.20	0.0160
460.97	1185.52	0.0160
472.52	1186.16	0.0160
482.02	1186.88	0.0300
491.03	1187.25	0.0300
506.75	1188.74	—

Longitudinal Slope: 0.0186 ft/ft

Flow: 43.8000 cfs - SEE ENCLOSED TR-55

Result Parameters

Depth: 0.1974 ft ←

Area of Flow: 15.3599 ft²

Wetted Perimeter: 127.3495 ft

Average Velocity: 2.8516 ft/s ←

Top Width: 127.3409 ft

Froude Number: 1.4469

Critical Depth: 0.2330 ft

Critical Velocity: 2.1882 ft/s

Critical Slope: 0.0086 ft/ft

Critical Top Width: 134.6035 ft

Calculated Max Shear Stress: 0.2291 lb/ft²

Calculated Avg Shear Stress: 0.1400 lb/ft²

Composite Manning's n Equation: Lotter method

Manning's n: 0.0173

Channel Analysis: SCBWA NIXON SECTION (PROPOSED CONDITIONS)

Notes:

Input Parameters

Channel Type: Custom Cross Section

Cross Section Data (SEE PLAN SHEET No. 3)

Station ft	Elevation ft	Manning's n
0.00	1183.82	0.0300
30.63	1182.36	0.0300
42.23	1181.86	0.0300
67.18	1180.83	0.0130
96.87	1179.41	0.0130
107.29	1178.85	0.0130
118.37	1178.92	0.0130
129.92	1178.76	0.0130
156.92	1178.92	0.0130
184.03	1178.90	0.0130
186.71	1178.86	0.0130
189.34	1178.85	0.0130
228.69	1178.80	0.0130
242.15	1178.78	0.0160
256.76	1178.79	0.0160
288.93	1179.07	0.0160
316.78	1179.31	0.0160
354.27	1180.25	0.0160
365.34	1180.53	0.0160
405.85	1182.20	0.0160
460.97	1185.52	0.0160
472.52	1186.16	0.0160
482.02	1186.88	0.0300
491.03	1187.25	0.0300
506.75	1188.74	---

Longitudinal Slope: 0.0186 ft/ft

Flow: 43.8000 cfs — SEE ENCLOSED TR-55

Result Parameters

Depth: 0.1738 ft ←

Area of Flow: 14.7970 ft²

Wetted Perimeter: 167.5556 ft

Average Velocity: 2.9601 ft/s ←

Top Width: 167.5506 ft

Froude Number: 1.7553

Critical Depth: 0.2147 ft

Critical Velocity: 2.0126 ft/s

Critical Slope: 0.0054 ft/ft

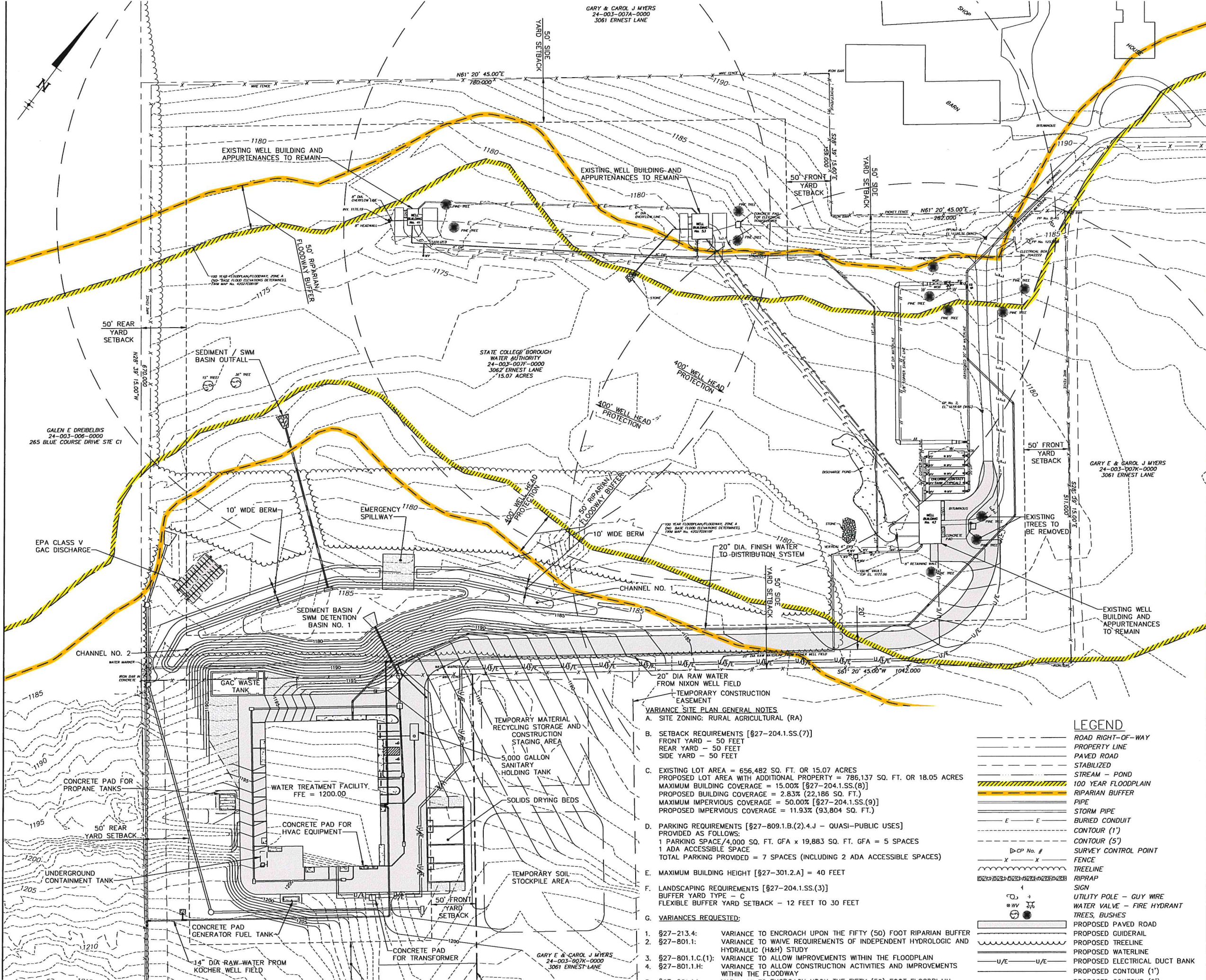
Critical Top Width: 173.0119 ft

Calculated Max Shear Stress: 0.2017 lb/ft²

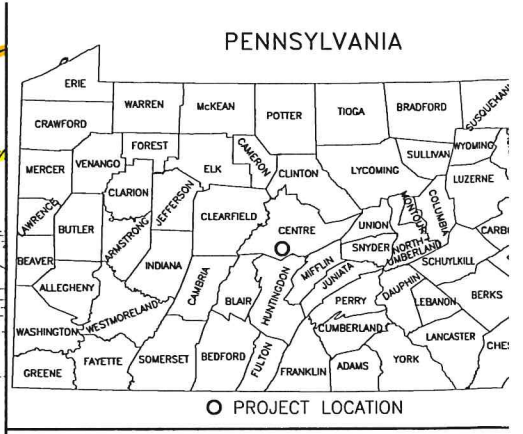
Calculated Avg Shear Stress: 0.1025 lb/ft²

Composite Manning's n Equation: Lotter method

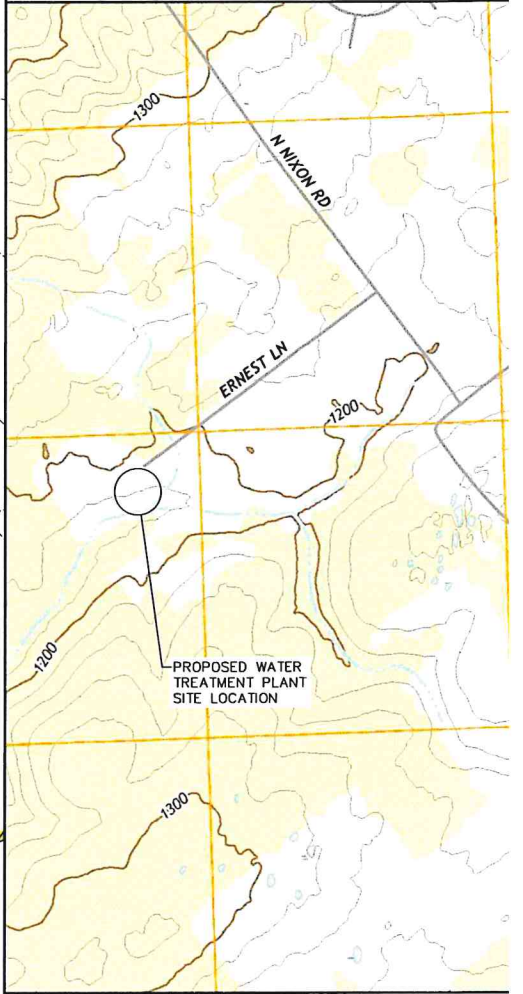
Manning's n: 0.0136



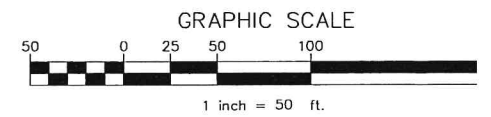
GARY & CAROL J MYERS
24-003-0074-0000
3061 ERNEST LANE



LOCATION MAP
NO SCALE



VICINITY MAP
SCALE: 1" = 100'



- VARIANCE SITE PLAN GENERAL NOTES**
- SITE ZONING:** RURAL AGRICULTURAL (RA)
 - SETBACK REQUIREMENTS** [§27-204.1.SS.(7)]
FRONT YARD - 50 FEET
REAR YARD - 50 FEET
SIDE YARD - 50 FEET
 - EXISTING LOT AREA** = 656,482 SQ. FT. OR 15.07 ACRES
PROPOSED LOT AREA WITH ADDITIONAL PROPERTY = 786,137 SQ. FT. OR 18.05 ACRES
MAXIMUM BUILDING COVERAGE = 15.00% [§27-204.1.SS.(8)]
PROPOSED BUILDING COVERAGE = 2.83% (22,186 SQ. FT.)
MAXIMUM IMPERVIOUS COVERAGE = 50.00% [§27-204.1.SS.(9)]
PROPOSED IMPERVIOUS COVERAGE = 11.93% (93,804 SQ. FT.)
 - PARKING REQUIREMENTS** [§27-809.1.B.(2).4.J - QUASI-PUBLIC USES]
PROVIDED AS FOLLOWS:
1 PARKING SPACE/4,000 SQ. FT. GFA x 19,883 SQ. FT. GFA = 5 SPACES
1 ADA ACCESSIBLE SPACE
TOTAL PARKING PROVIDED = 7 SPACES (INCLUDING 2 ADA ACCESSIBLE SPACES)
 - MAXIMUM BUILDING HEIGHT** [§27-301.2.A] = 40 FEET
 - LANDSCAPING REQUIREMENTS** [§27-204.1.SS.(3)]
BUFFER YARD TYPE C
FLEXIBLE BUFFER YARD SETBACK - 12 FEET TO 30 FEET
 - VARIANCES REQUESTED:**
 - §27-213.4: VARIANCE TO ENCROACH UPON THE FIFTY (50) FOOT RIPARIAN BUFFER
 - §27-801.1: VARIANCE TO WAIVE REQUIREMENTS OF INDEPENDENT HYDROLOGIC AND HYDRAULIC (H&H) STUDY
 - §27-801.1.C.(1): VARIANCE TO ALLOW IMPROVEMENTS WITHIN THE FLOODPLAIN
 - §27-801.1.H: VARIANCE TO ALLOW CONSTRUCTION ACTIVITIES AND IMPROVEMENTS WITHIN THE FLOODWAY


- LEGEND**
- ROAD RIGHT-OF-WAY
 - PROPERTY LINE
 - PAVED ROAD
 - STABILIZED
 - STREAM - POND
 - 100 YEAR FLOODPLAIN
 - RIPARIAN BUFFER
 - PIPE
 - STORM PIPE
 - BURIED CONDUIT
 - CONTOUR (1')
 - CONTOUR (5')
 - SURVEY CONTROL POINT
 - FENCE
 - TREELINE
 - RIPRAP
 - SIGN
 - UTILITY POLE - GUY WIRE
 - WATER VALVE - FIRE HYDRANT
 - TREES, BUSHES
 - PROPOSED PAVED ROAD
 - PROPOSED GUIDERAIL
 - PROPOSED TREELINE
 - PROPOSED WATERLINE
 - PROPOSED ELECTRICAL DUCT BANK
 - PROPOSED CONTOUR (1')

NO.	DATE	DESCRIPTION
REVISIONS		

VARIANCE SITE PLAN

STATE COLLEGE BOROUGH
WATER AUTHORITY

NIXON-KOCHER
WATER TREATMENT FACILITY



3061 ERNEST LANE

N81° 20' 45.00"E
780.000

N81° 20' 45.00"E
282.000

S89° 30' 15.00"E
158.000

S89° 30' 15.00"E
811.000

1042.000
S81° 20' 45.00"W

N.001° 15' 45.00"E
000.000

GALEN E DREIBELBIS
24-003-006-0000
265 BLUE COURSE DRIVE STE C1

STATE COLLEGE BOROUGH
WATER AUTHORITY
24-003-007-0000
3062 ERNEST LANE
15.07 ACRES

GARY E & CAROL J MYERS
24-003-007K-0000
3061 ERNEST LANE

GARY E & CAROL J MYERS
24-003-007K-0000
3061 ERNEST LANE

50' RIPRAP/
FLOODWAY/BUFFER

EXISTING WELL BUILDING AND
APPURTENANCES

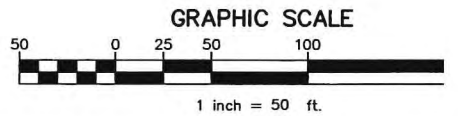
EXISTING WELL BUILDING AND
APPURTENANCES

EXISTING WELL
BUILDING AND
APPURTENANCES

30' RIPRAP/
FLOODWAY/BUFFER



- LEGEND**
- ROAD RIGHT-OF-WAY
 - PROPERTY LINE
 - PAVED ROAD
 - STABILIZED
 - STREAM - POND
 - 100 YEAR FLOODPLAIN
 - RIPARIAN BUFFER
 - PIPE
 - STORM PIPE
 - BURIED CONDUIT
 - CONTOUR (1')
 - CONTOUR (5')
 - ▲ SURVEY CONTROL POINT
 - FENCE
 - TREELINE
 - RIPRAP
 - SIGN
 - UTILITY POLE - GUY
 - WATER VALVE - FIRE
 - TREES, BUSHES



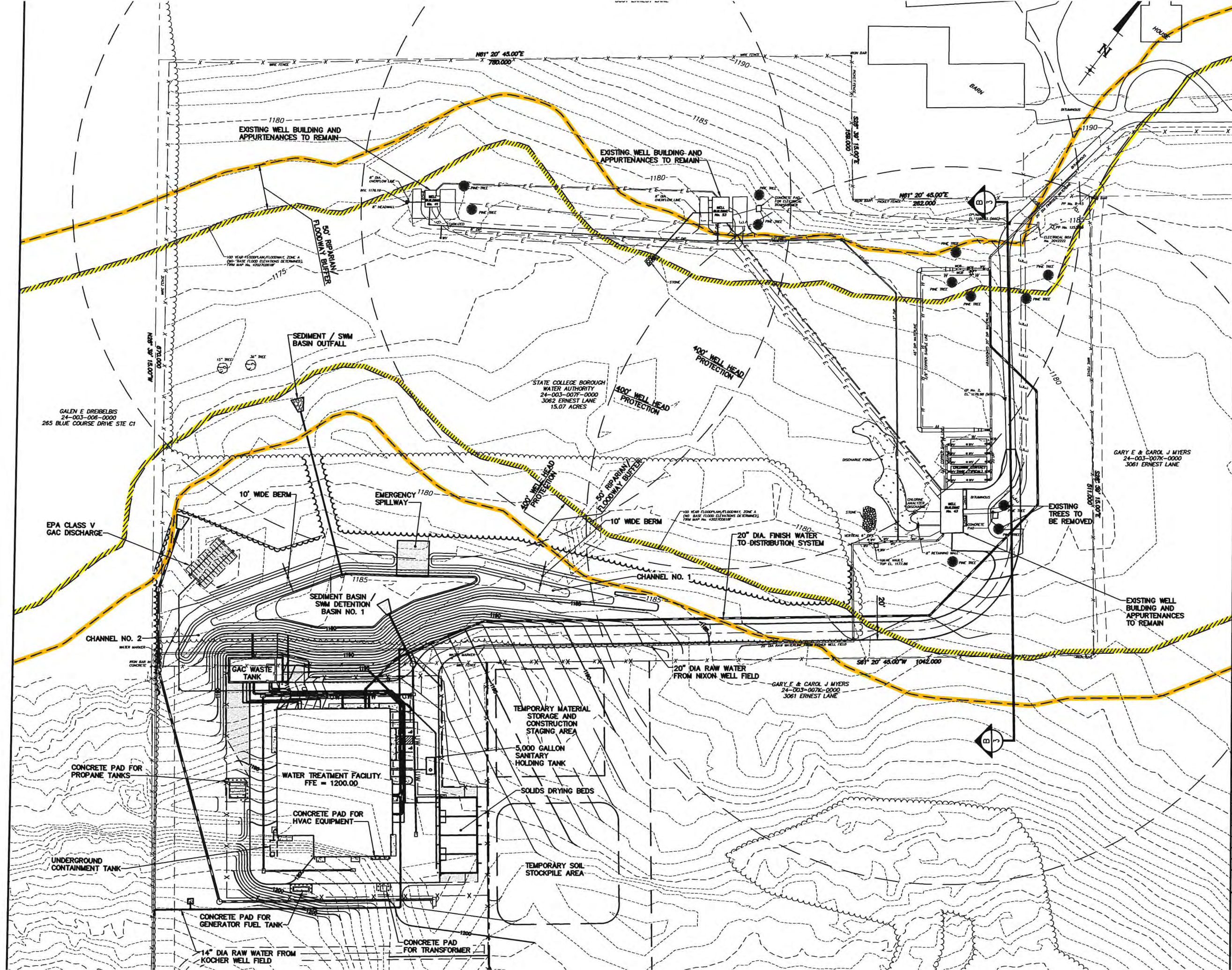
NO.	DATE	DESCRIPTION

REVISIONS

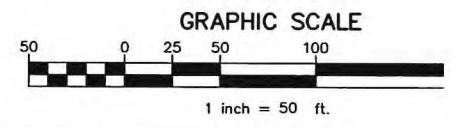
CROSS SECTION LOCATION PLAN
(EXISTING CONDITIONS)

STATE COLLEGE BOROUGH
WATER AUTHORITY

NIXON-KOCHER
WATER TREATMENT FACILITY

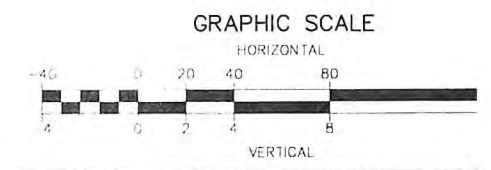
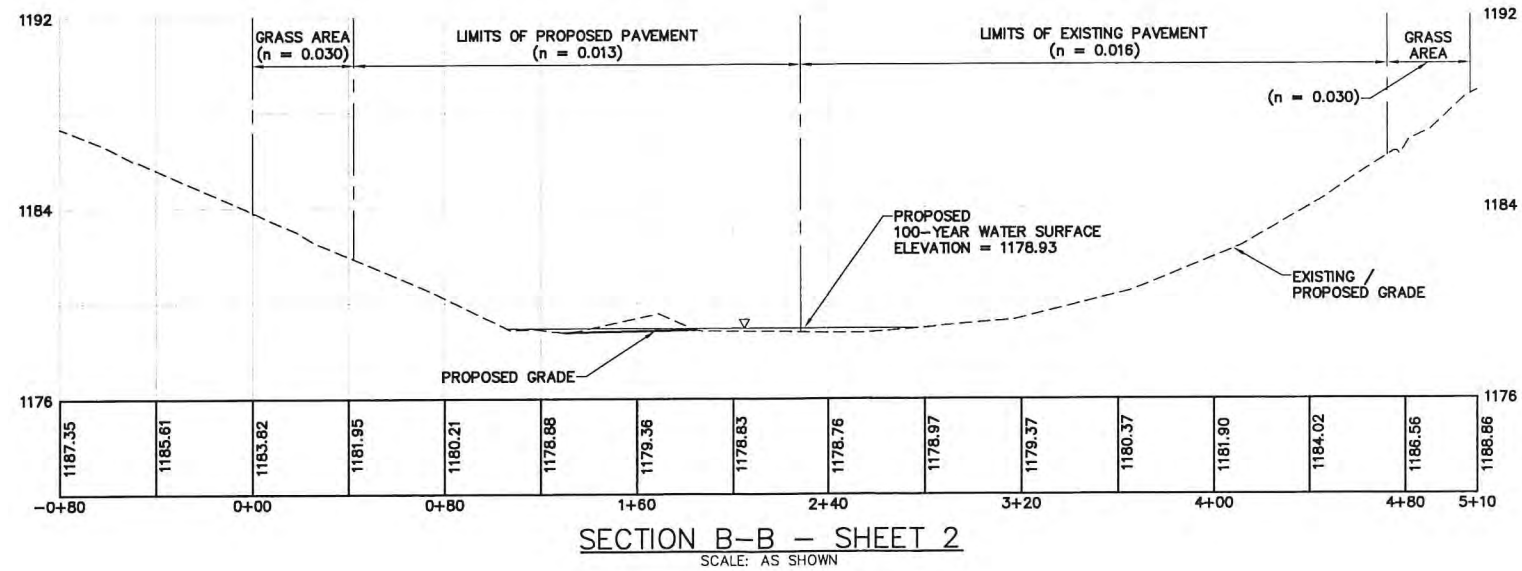
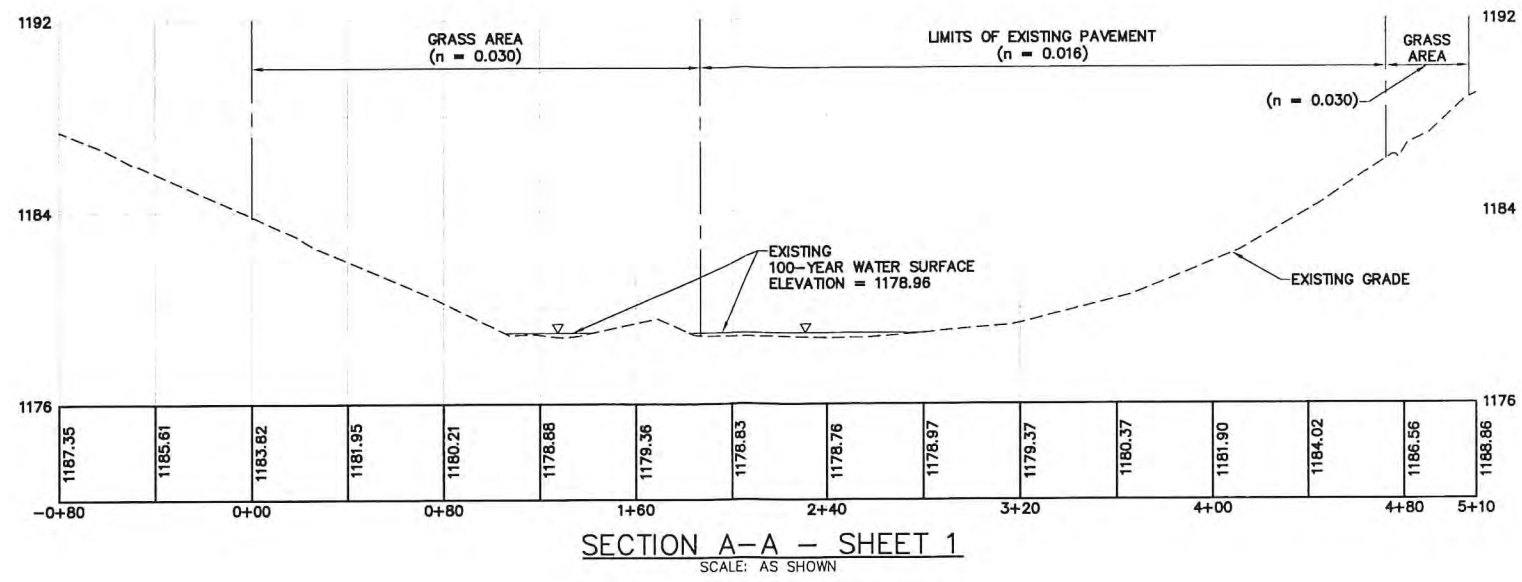


- LEGEND**
- ROAD RIGHT-OF-WAY
 - PROPERTY LINE
 - PAVED ROAD
 - STABILIZED
 - STREAM - POND
 - 100 YEAR FLOODPLAIN
 - RIPARIAN BUFFER
 - PIPE
 - STORM PIPE
 - BURIED CONDUIT
 - CONTOUR (1')
 - CONTOUR (5')
 - SURVEY CONTROL POINT
 - FENCE
 - TREELINE
 - RIPRAP
 - SIGN
 - UTILITY POLE - GUY
 - WATER VALVE - FIRE
 - TREES, BUSHES
 - PROPOSED PAVED ROAD
 - PROPOSED GUIDERAIL
 - PROPOSED TREELINE
 - PROPOSED WATERLINE
 - PROPOSED ELECTRICAL
 - PROPOSED CONTOUR
 - PROPOSED STORM DRAIN



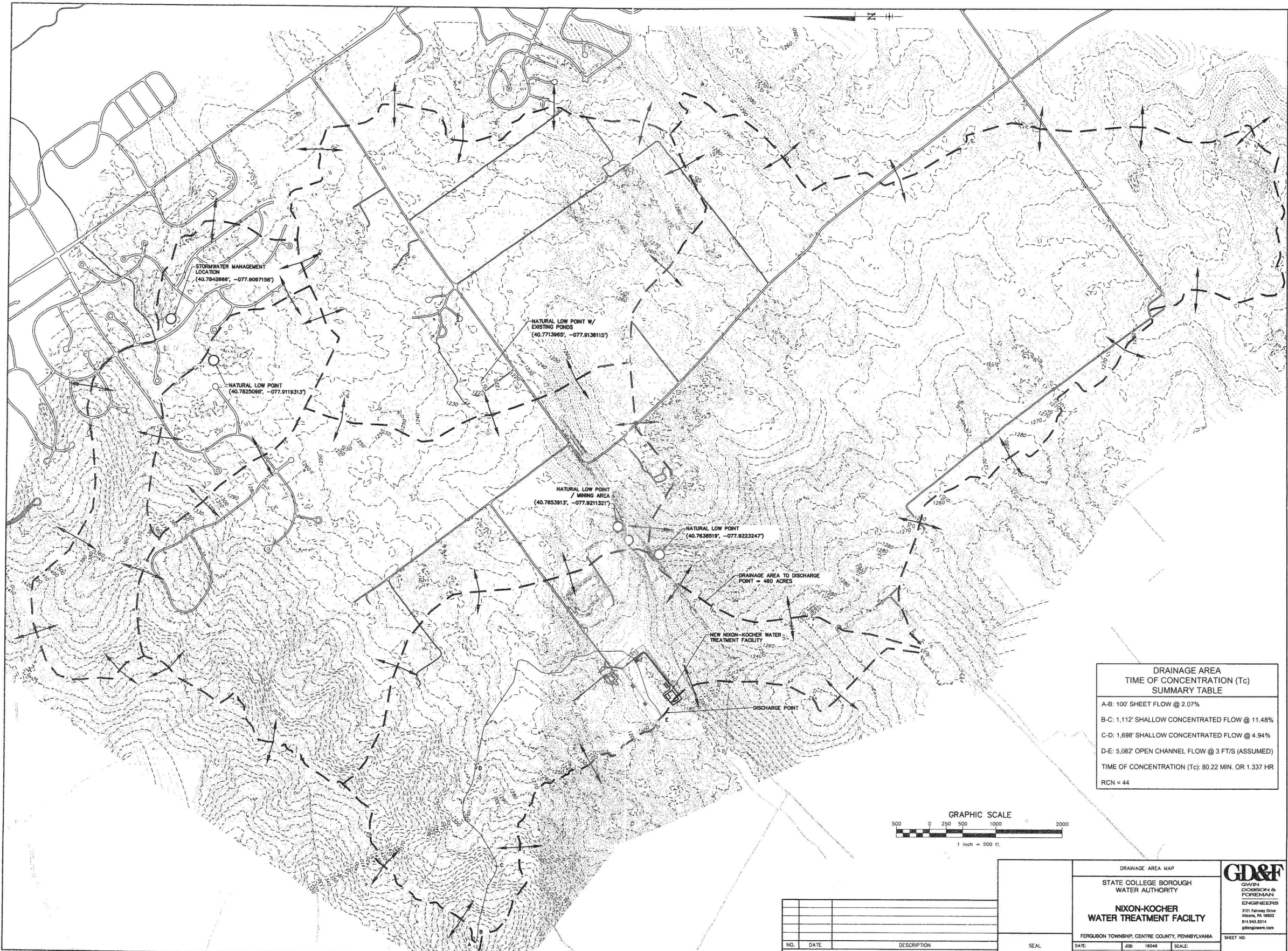
NO.	DATE	DESCRIPTION
REVISIONS		
CROSS SECTION LOCATION PLAN (PROPOSED CONDITIONS)		
STATE COLLEGE BOROUGH WATER AUTHORITY		
NIXON-KOCHER WATER TREATMENT FACILITY		



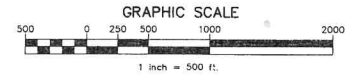


NO.	DATE	DESCRIPTION
REVISIONS		
CROSS SECTIONS		
STATE COLLEGE BOROUGH WATER AUTHORITY		
NIXON-KOCHER WATER TREATMENT FACILITY		

GI
G
D
K
E
I
E
312
ATE
814
gdf



DRAINAGE AREA TIME OF CONCENTRATION (Tc) SUMMARY TABLE	
A-B: 100' SHEET FLOW @ 2.07%	
B-C: 1.112' SHALLOW CONCENTRATED FLOW @ 11.48%	
C-D: 1.698' SHALLOW CONCENTRATED FLOW @ 4.94%	
D-E: 5.082' OPEN CHANNEL FLOW @ 3 FT/S (ASSUMED)	
TIME OF CONCENTRATION (Tc): 80.22 MIN. OR 1.337 HR	
RCN = 44	



NO.	DATE	DESCRIPTION

DRAINAGE AREA MAP
STATE COLLEGE BOROUGH
WATER AUTHORITY

**NIXON-KOCHER
WATER TREATMENT FACILITY**

FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA

GD&F
GWIN
DOBOSCH &
FOREMAN
ENGINEERS
3121 Parkway Drive
Harrisburg, PA 17102
610.943.8214
gdf@gwinns.com

DATE:	JUN 15 2014	SCALE:
FILE:	DRAWN BY: A.L.	CHECKED BY:

SHEET NO:

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA
ADOPTING AN AMENDED PURCHASING AND PROCUREMENT POLICY.**

WHEREAS, the Board of Supervisors and staff are directly responsible for the oversight and management of public funds and the provision of public services as established in the Ferguson Township Home Rule Charter and Administrative Code; and

WHEREAS, the Board of Supervisors and staff are committed to executing this responsibility in an ethical, open, and honest manner while reducing the likelihood of mismanagement of public funds and fraud; and

WHEREAS, the Ferguson Township Purchasing Policy, attached hereto as Exhibit "A", provides guidance and control of purchasing functions of the Township and its staff.

NOW THEREFORE, BE IT RESOLVED, the Ferguson Township Board of Supervisors adopts the Ferguson Township Purchasing Policy attached hereto as Exhibit "A" and made part of this Resolution.

RESOLVED this 19th Day of February, 2019

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman

[S E A L]

ATTEST:

By: _____
David Pribulka, Secretary

Exhibit "A"

**FERGUSON TOWNSHIP
PURCHASING POLICY**

Policy Number:		Effective Date:	2005
Policy Name:	Purchasing Policy	Last Revision Date:	2019
Classification Group:	Accounting	Sub Classification Group	Purchasing

SCOPE & PURPOSE

To provide guidance and control of purchasing for the staff of Ferguson Township.

Levels of Authority and Responsibility.

- **Board of Supervisors** - Approval required for purchases over \$3,000
- **Township Manager** - Purchases up to the amount the board authorizes can be made by the Township Manager. Purchases up to \$ 2,999.99 can be authorized by the Township Manager. Purchases above this amount require Board authorization.
- **Department Manager** - Purchases up to \$2,499.99 per item can be authorized by the Department Manager.
- **Individual Employee** All purchases by individual employees must be approved by the Department Manager in advance.

Home Rule Limits

The Township is a home rule entity. As such, quotes and bidding limits are determined in accordance with the home rule criteria as stated in ordinance Number 918, dated March 2, 2009.

Davis Bacon Act

When using Federal money for construction projects, wage rates and record-keeping procedures established by the Davis-Bacon Act must be followed.

Prevailing Wage Act

For public works projects in excess of specific amount are subject to the Pennsylvania Prevailing Wage Act requires specifications to contain a provision for the payment of the prevailing minimum wage to all workers on the project.

Motor Vehicles

Under the Motor Vehicle Procurement Act, public bodies, including municipalities, are required to purchase or lease only motor vehicles manufactured or assembled in North America.

Exemptions

Some items greater than or equal to \$25,000 are explicitly exempted from the competitive bidding process. They include:

- Maintenance, Repairs or replacements for water, electric, or other public works.
- Work performed by municipal employees
- Where items are specific and patented or copyrighted.

FERGUSON TOWNSHIP PURCHASING POLICY

- Insurance
- Intergovernmental contracts
- Personal or Professional Services
- Real Estate
- Emergency purchases

These items under \$25,000 may not be subject to a formal Purchase Order. They still require Manager and Board of Supervisor approval and budgeted authority however.

State Contracts

Any item listed on the PA State Contract list may be purchased without formal bid procedure normally required. This is because the State has already done the bidding process. COSTARS is a similar state program that allows local purchases to piggyback.

The Local Piggyback Purchasing Program (L3P) is a second option available to eligible organizations through an annual subscription with the PA Municipal League.

The Commonwealth procurement statute provides for a sweeping authority for local government to engage in cooperative purchasing. Local government may enter into a cooperative purchasing agreement with another Pennsylvania public procurement entity or external procurement unit.

Bidding Requirements

- All bids requests must be advertised in advance, typically in the local newspaper of general circulation and include certain information such as date, time and local of bid opening. Township officials are subject to a penalty for evading the advertising requirements of 10% of the full amount of the contract and a misdemeanor of the third degree.
- All contracts or purchases in excess of \$25,000 unless exempted, must be made from the lowest responsible bidder. Piece-mealing purchases are also subject to this penalty.
- The award of contracts must only be made by public announcement at the meeting at which the bids are received or at a subsequent meeting, the time and place of which must be publicly announced when the bids are received or published with 5 days' notice for Townships of the second class.
- The Municipality can reject any or all bids with good reason.

Leases

Leases qualify as contracts under this policy and require the same authorization as other purchases. However, State purchasing regulations generally do not apply with the exception of lease-purchases.

Fraud and Conflicts of Interest

- No public official or public employee can enter into a contract valued at \$500 or more with their government body unless the contract is awarded through a public process.
- Any public official or employee with a personal interest cannot have any supervisory responsibility for administering the contract.
- To fall within the prohibition, the interest of an official must be certain, pecuniary, or proprietary and direct. Sentimental or general interest is not enough.

Kickbacks, Gifts, Gratuities, Personal Purchases

FERGUSON TOWNSHIP PURCHASING POLICY

Township employees may not accept money, goods or services from vendors, including kickbacks or rebates, in exchange for any form of commitment, promise or favor related to that vendor or the vendor's related parties. In addition, any money, goods or services in excess of a de minimis amount is considered Township property and will be treated as such.

Employees may not use Township funds or other property for personal use unless specifically authorized by the Township Manager or Board of Supervisors.

Purchases and Budgets

Purchases will only be allowed in accordance with the approved budgets or by special authorization by the Board of Supervisors or Township Manager. Without proper purchasing authority, purchases cannot be made. This is also true with the timing of purchases. Purchases can only be made within the time scope of the approved budget. Items not purchased within the budget time line may have an encumbrance reserved for that item only with the Township Managers and the Board of Supervisors approval.

Approved Vendors

The Township will maintain a list of Approved Vendors. Vendors will be approved for use by the Accounting Department and verified as valid ongoing independent concerns. Any company or vendors with a conflict of interest to the Township will not be approved. In most cases, local current vendors will be given priority when making purchases.

Purchasing Cards, Credit Cards and Electronic Payments

The Township makes use of electronic purchases on a regular basis. The payment methods consist mainly of PLGIT purchasing cards. The Township sells old equipment via eBay and maintains a small balance in PayPal for routine office supply purchases. The purchasing cards are covered by a separate policy.

Any payments made via the Internet will be in a secured form only. When a vendor does not provide a secured form of payment, the purchase will be made via telephone or some other form.

Requisitions & Purchase Orders

Generally, all purchases, are required to have a Purchase Requisition completed and approved prior to making the purchase. This can be done verbally by the department head as long as the requisition is signed within a reasonable time. Without proper authorization, the purchaser is making an unauthorized purchase with Township funds. Any unauthorized purchases may be deemed the personal responsibility of the purchaser.

All purchases exceeding \$2,499.99 require a formal Purchase Order signed by the department head and Township Manager. Purchase Orders are generally sent to the vendor to inform them of the intent to purchase. Contract documentation may take the place of a purchase order in certain circumstances.

Purchase requisitions are completed and signed according to authorization needed. Once approved, the items should be ordered by the department or person completing the requisition. The requisition is then forwarded with supporting documentation to the finance department to match up with the invoices.

**FERGUSON TOWNSHIP
PURCHASING POLICY**

No purchases will be made that conflict with Township Policies or conflict with the independence of the Township and its employees or any employee directly involved with the purchases and the interests of the Vendor.

The purchase order is laser form created by the software. A copy is generally sent to the Vendor as authorization for the purchase. A second copy is sent to the Accounting Department. A third copy is provided to the purchaser.

The Township may use blanket purchase orders. In certain circumstances blanket purchase orders streamline the purchasing process for commonly purchased items using one vendor. The Township Manager must approve the use of a blanket PO.

Changes/Cancellations/Credits

Any changes, cancellations or credits to the purchase will be forwarded to the Accounting department as soon as possible. Any increase in purchases will follow the same guidelines as a new purchase.

Delivery and Authorization.

The purchaser is responsible for inspecting and accepting the item upon delivery. If the item is damaged, of the wrong type or amount, this must be noted at delivery time. Depending on the severity of this, the delivery can be rejected or not authorized. If rejected, redelivery should be scheduled and the Accounting department notified.

A key piece of information is the packing slips that come with the items. Almost all items delivered will have a packing slip attached. This packing slip will be forwarded to the Accountant for processing in a timely manner. If no packing slip is available, please notify the accounting department verbally or in writing that the items were received and accepted. Without notice of receiving the item, the payment to the vendor will be delayed.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2014-04 AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE A RESOLUTION WITH JERSEY SHORE STATE BANK, VOYA FINANCIAL ADVISORS, AND PERSHING, LLC DESIGNATING THE AUTHORIZED SIGNATORIES ON THE TOWNSHIP'S VARIOUS BANK ACCOUNTS.

BE IT RESOLVED, by authority of the Township of Ferguson, Centre County, Pennsylvania, and it is hereby resolved by authority of the same, that Peter Buckland, Chairman; Steve Miller, Vice Chairman; and David Pribulka, Township Manager of Ferguson Township be authorized to sign checks or drafts for the accounts of Ferguson Township; open, close, and transact investment accounts; sign documents for actions to be executed; and, further that the Chairman and Secretary be authorized to sign this resolution.

BE IT FURTHER RESOLVED, that the signatures of two of the three designated signatories shall be required on any document in order to transact business.

RESOLVED, this 19th day of February, 2019.

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman
Board of Supervisors

[S E A L]

ATTEST:

By: _____
David Pribulka, Secretary

I, David G. Pribulka, Secretary of the Township of Ferguson, Centre County, Pennsylvania, hereby certify that Ferguson Township is duly and legally organized and existing and that the quorum of the Board of Supervisors of Ferguson Township, at a meeting duly held on the 19th day of February, 2019, which is in full force and effect on this date and does not conflict with the Home Rule Charter of Ferguson Township.

I further certify that I have the authority to execute this Non-Corporate Resolution on behalf of Ferguson Township, and that the Board of Supervisors of Ferguson Township that took action called for by the resolutions annexed hereto has the power to take such action.

David Pribulka, Secretary

Signature

Date

**Certified Copy of Certain Resolutions Adopted by the Governing Body of Said Organization Whereby
the Establishment and Maintenance of Accounts Have Been Authorized**

RESOLVED —

FIRST: That the named Authorized Persons of this organization or _____, or _____ be and they hereby are, and each of them is, authorized and empowered, for and on behalf of this organization (herein called the "Organization"), to establish and maintain one or more accounts with _____ (herein called the "Brokers") for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, pledging, or otherwise disposing of, or turning to account of, or realizing upon, and generally dealing in and with;

(a) THIS PARAGRAPH PERMITS CASH TRANSACTIONS IN SECURITIES: any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, choses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise;

(b) THIS PARAGRAPH PERMITS CASH AND MARGIN TRANSACTIONS IN SECURITIES: any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, choses in action, evidences of indebtedness, commercial paper certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise, and margin transactions, including short sales;

(c) THIS PARAGRAPH PERMITS THE ESTABLISHMENT AND MAINTENANCE OF AN ASSET MANAGEMENT ACCOUNT: the creation of a debit card and checkwriting, from which account funds are directly spent, the responsibility for which is entirely that of the Organization, such that checkwriting and debit card privileges will be limited to the following persons designated by the Organization:

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said Authorized Persons and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to the Brokers with respect to said transactions; to bind and obligate the Organization to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such Authorized Persons and/or drafts drawn upon the funds of the Organization such sums as may be necessary in connection with any of the said accounts to deposit funds with the Brokers; to deliver securities and/or contracts to the Brokers; to order the transfer or delivery thereof to any other person whatsoever, and/or to order the transfer record of any securities, or contracts, or titles, to any name selected by any of the said Authorized Persons or agents; to affix the Organization's seal to any documents or agreements, or otherwise; to endorse any securities and/or contracts in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Organization all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct the Brokers to surrender any securities to

the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities, to borrow money and securities, if applicable, and to secure repayment thereof with the property of the Organization; to appoint any other person or persons to do any and all things, which any of the said Authorized Persons and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such Authorized Persons and/or agents with respect thereto.

SECOND: That the Brokers may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Organization directly, except as provided in paragraph FIRST sub (c).

THIRD: That the person signing this Non-Corporate Resolution on behalf of the Organization is authorized, empowered and directed to certify to the Brokers:

(a) a true copy of these resolutions;

(b) specimen signatures of each and every person by these resolutions empowered;

(c) a certificate (which, if required by brokers, shall be supported by an opinion of the general counsel of the Organization, or other counsel satisfactory to the Brokers) that the Organization is duly organized and existing, that its governing rules empower it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the governing rules of the Organization or otherwise.

FOURTH: That the Brokers may rely upon the certified copy of the resolutions, specimen signatures, and certificate, as continuing fully effective unless and until the Brokers shall receive due written notice of change or rescission, and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an Authorized Person of the Organization or becomes an Authorized Person under some title, in any way affect the powers hereby conferred, but the failure to supply any specimen signature shall not invalidate any transaction where the party authorizing the same has been actually empowered thereto by or in conformity with these resolutions.

FIFTH: That in the event of any change in the office of powers of persons hereby empowered, an Authorized Person shall certify such changes to the Brokers in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons therefore authorized, and to empower the persons thereby substituted.

SIXTH: That the Authorized Persons of the Organization be, and hereby is, authorized and empowered to countersign items as aforesaid, except as provided in paragraph FIRST sub (c).

SEVENTH: That the foregoing resolutions and the certificates actually furnished to the Brokers by the Authorized Person of pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the Brokers.

FERGUSON TOWNSHIP ADMINISTRATIVE POLICY

Source: Eric Endresen, Director of Finance

Policy Number:		Effective Date:	2005
Policy Name:	Purchasing Policy	Last Revision Date:	2019 5
Classification Group:	Accounting	Sub Classification Group	Purchasing

SCOPE & PURPOSE

To provide guidance and control of purchasing for the staff of Ferguson Township.

Levels of Authority and Responsibility.

- **Board of Supervisors** - Approval required for purchases over \$3,000
- **Township Manager** - Purchases up to the amount the board authorizes can be made by the Township Manager. Purchases up to \$ 2,999.~~99~~ per item can be authorized by the Township Manager. Purchases above this amount require Board authorization.
- **Department Manager** - Purchases up to \$~~2,4~~999.~~99~~ per item can be authorized by the Department Manager.
- **Individual Employee** All purchases by individual employees must be approved by the Department Manager in advance.

Home Rule Limits

The Township is a home rule entity. As such, quotes and bidding limits are determined in accordance with the home rule criteria as stated in ordinance Number 918, dated March 2, 2009.

Davis Bacon Act

When using Federal money for construction projects, wage rates and record-keeping procedures established by the Davis-Bacon Act must be followed.

Prevailing Wage Act

For public works projects in excess of specific amount are subject to the Pennsylvania Prevailing Wage Act requires specifications to contain a provision for the payment of the prevailing minimum wage to all workers on the project.

Motor Vehicles

Under the Motor Vehicle Procurement Act, public bodies, including municipalities, are required to purchase or lease only motor vehicles manufactured or assembled in North America.

Exemptions

Some items greater than or equal to \$25,000 are explicitly exempted from the competitive bidding process. They include:

- Maintenance, Repairs or replacements for water, electric, or other public works.
- Work performed by municipal employees
- Where items are specific and patented or copyrighted.

FERGUSON TOWNSHIP ADMINISTRATIVE POLICY

- Insurance
- Intergovernmental contracts
- Personal or Professional Services
- Real Estate
- Emergency purchases

These items under \$25,000 ~~may are~~ not be subject to a formal Purchase Order. They still require Manager and Board of Supervisor approval and budgeted authority however.

State Contracts

Any item listed on the PA State Contract list may be purchased without formal bid procedure normally required. This is because the State has already done the bidding process. COSTARS is a similar state program that allows local purchases to piggyback.

The Local Piggyback Purchasing Program (L3P) is a second option available to eligible organizations through an annual subscription with the PA Municipal League.

The Commonwealths procurement statue provides for a sweeping authority for local government to engage in cooperative purchasing. Local government may enter into a cooperative purchasing agreement with another Pennsylvania public procurement entity or external procurement unit.

Bidding Requirements

- All bids requests must be advertised in advance, typically in the local newspaper of general circulation and include certain information such as date, time and local of bid opening. Township officials are subject to a penalty for evading the advertising requirements of 10% of the full amount of the contract and a misdemeanor of the third degree.
- All contracts or purchases in excess of \$25,000 unless exempted, must be made from the lowest responsible bidder. Piece-mealing purchases are also subject to this penalty.
- The award of contracts must only be made by public announcement at the meeting at which the bids are received or at a subsequent meeting, the time and place of which must be publicly announced when the bids are received or published with 5 days notice for Boroughs ~~or~~ Townships of the second class.
- The Municipality can reject any or all bids with good reason.

Leases

Leases qualify as contracts under this policy and require the same authorization as other purchases. However, State purchasing regulations generally do not apply with the exception of lease-purchases.

Fraud and Conflicts of Interest

- No public official or public employee can enter into a contract valued at \$500 or more with their government body unless the contract is awarded through a public process.
- Any public official or employee with a personal interest cannot have any supervisory responsibility for administering the contract.
- To fall within the prohibition, the interest of an official must be certain, pecuniary, or proprietary and direct. Sentimental or general interest is not enough.

Kickbacks, Gifts, Gratuities, Personal Purchases

FERGUSON TOWNSHIP ADMINISTRATIVE POLICY

Township employees may not accept money, goods or services from vendors, including kickbacks or rebates, in exchange for any form of commitment, promise or favor related to that vendor or the vendor's related parties. In addition, any money, goods or services in excess of a de minimis amount is considered Township property and will be treated as such.

Employees may not use Township funds or other property for personal use unless specifically authorized by the Township Manager or Board of Supervisors.

Purchases and Budgets

Purchases will only be allowed in accordance with the approved budgets or by special authorization by the Board of Supervisors or Township Manager. Without proper purchasing authority, purchases cannot be made. This is also true with the timing of purchases. Purchases can only be made within the time scope of the approved budget. Items not purchased within the budget time line ~~may will~~ have an encumbrance reserved for that item only with the Township Managers and the Board of Supervisors approval ~~on the condition that the item is expected to be ordered in the near future.~~

Approved Vendors

The Township will maintain a list of Approved Vendors. Vendors will be approved for use by the Accounting Department and verified as valid ongoing independent concerns. Any company or vendors with a conflict of interest to the Township will not be approved. In most cases, local current vendors will be given priority when making purchases.

Purchasing Cards, Credit Cards and Electronic Paymentsurchases

The Township makes use of electronic purchases on a regular basis. The payment methods consist mainly of ~~PayPal and~~ PLGIT purchasing cards. The Township sells old equipment via eBay and maintains a small balance in PayPal for routine office supply purchases. The purchasing cards are covered by a separate policy. ~~Only the Township manager has a credit card with a limit equal to the purchasing authorization provided for by this Policy.~~

Any ~~paymentsurchases~~ made via the Internet will be in a secured form only. When a vendor does not provide a secured form of ~~paymentservice~~, the purchase will be made via telephone or some other form.

Requisitions & Purchase Orders

Generally, all purchases, ~~except reimbursable items~~, are required to have a Purchase Requisition completed and approved prior to making the purchase. This can be done verbally by the department head as long as the requisition is signed within a reasonable time. Without proper authorization, the purchaser is making an unauthorized purchase with Township funds. Any unauthorized purchases may be deemed the personal responsibility of the purchaser.

All purchases exceeding \$~~2,499.991,000~~ require a formal Purchase Order signed by the department head and Township Manager. Purchase Orders are generally sent to the vendor to inform them of the intent to purchase. Contract documentation may take the place of a purchase order in certain circumstances.

Purchase requisitions are completed and signed according to authorization needed. Once approved, the items ~~shouldcan~~ be ordered by the department or person completing the requisition. The requisition is then forwarded with supporting documentation to the ~~financeaccounting~~ department to match up with the invoices.

FERGUSON TOWNSHIP ADMINISTRATIVE POLICY

No purchases will be made that conflict with Township Policies or conflict with the independence of the Township and its employees or any employee directly involved with the purchases and the interests of the Vendor.

The purchase order is laser form created by the software. A copy is generally sent to the Vendor as authorization for the purchase. A second copy is sent to the Accounting Department. A third copy is provided to the purchaser.

The Township ~~does not generally~~may use blanket purchase orders. ~~There are a few cases, that blanket POs make sense.~~ In certain circumstances blanket purchase orders streamline the purchasing process for commonly purchased items using one vendor. The Township Manager must approve the use of a blanket PO.

Changes/Cancellations/Credits

Any changes, cancellations or credits to the purchase will be forwarded to the Accounting department as soon as possible. Any increase in purchases will follow the same guidelines as a new purchase.

Delivery and Authorization.

The purchaser is responsible for inspecting and accepting the item upon delivery. If the item is damaged, of the wrong type or amount, this must be noted at delivery time. Depending on the severity of this, the delivery can be rejected or not authorized. If rejected, redelivery should be scheduled and the Accounting department notified.

A key piece of information is the packing slips that come with the items. Almost all items delivered will have a packing slip attached. This packing slip will be forwarded to the Accountant for processing in a timely manner. If no packing slip is available, please notify the accounting department verbally or in writing that the items were received and accepted. Without notice of receiving the item, the payment to the vendor will be delayed.

Pribulka,David

From: Todd Giddings <toddgiddings@verizon.net>
Sent: Tuesday, January 29, 2019 11:29 AM
To: Buckland,Peter
Cc: Pribulka,David
Subject: National Groundwater Awareness Week March 10 - 16, 2019
Attachments: Ground Water Awareness Week Proclamation Ferguson Township.docx

Hi Peter,

To you and the Board of Supervisors: Congratulations on the Source Water Protection Ordinance.

During the Citizen's Comments section of the February 19 Board of Supervisors' meeting, I would like to ask the Board to consider and then make the attached Proclamation. If approved, the Proclamation could appear on the Township's Web site. I will have a PowerPoint slide of the Proclamation so that it could appear on the CNet video of the meeting. This proclamation would be a small step in the education program for the Source-Water Protection Ordinance.

Thank you for considering my request,
Todd

Groundwater Awareness Week Proclamation

WHEREAS, groundwater, the subsurface water that fills cracks and solution openings in the bedrock, is a valuable natural resource, making up about 90 percent of the world's fresh water, excluding polar ice caps; and

WHEREAS, groundwater is a renewable resource that is replenished naturally by precipitation; and

WHEREAS, the residents in Ferguson Township use more than 1 million gallons of groundwater each day; and

WHEREAS, the residents and businesses in Ferguson Township are almost 100% dependent on groundwater for their drinking-water supply; and

WHEREAS, public and private water wells tapping groundwater resources often can provide the highest quality water available to homeowners and businesses; and

WHEREAS, groundwater comprises more than 85% of the water flowing in Slab Cabin Run and its tributaries each year, thereby providing an outstanding aquatic habitat; and

WHEREAS, groundwater is the most extracted natural resource in Ferguson Township, and

WHEREAS, the groundwater that is source water in Ferguson Township is now protected by the recently-adopted Source-Water Protection Ordinance,

NOW, THEREFORE, BE IT RESOLVED THAT, the week of March 10 through 16, 2019 is hereby designated Groundwater Awareness Week in the Township of Ferguson in conjunction with the celebration of National Groundwater Awareness Week.

PROCLAIMED this 19th day of February, 2019.

Ferguson Township Board of Supervisors,

Peter Buckland, Chairman



RESOLUTION NO. _____

A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE 2018 FERGUSON TOWNSHIP OPERATING BUDGET BY INCREASING EXPENDITURES AS DESCRIBED.

WHEREAS, the Ferguson Township Board of Supervisors adopted the 2018 Township Operating Budget on December 11, 2017, projecting revenues and expenditures for the 2018 fiscal year; and

WHEREAS, Section 7.08 of the Ferguson Township Home Rule Charter provides for amendment of the Township Operating Budget after adoption; and

WHEREAS, the Board of Supervisors declared an amendment of the budget on February 19, 2019 and notice of the public hearing was duly and properly advertised.

NOW THEREFORE, the Ferguson Township Board of Supervisors amends the 2018 Township Budget as follows:

Fund/Account	Description	Original Budget	Change	Revised Budget
03.448.363	Hydrant Service	\$35,500	\$5,000	\$40,500
To adjust the Hydrant Fund budget to remain in compliance with fund level budgetary authority.				

RESOLVED this 4th day of March, 2019.

TOWNSHIP OF FERGUSON

By: _____
Peter Buckland, Chairman
Board of Supervisors

[S E A L]

ATTEST:

David G. Pribulka, Secretary

THE PENNSYLVANIA C-PACE PROGRAM

A NEW TOOL FOR LOCAL SUSTAINABLE DEVELOPMENT IN PENNSYLVANIA

- In June 2018, **Gov. Tom Wolf signed SB 234 into law**, adding Pennsylvania to the 33 states who have enabled Commercial Property Assessed Clean Energy, or C-PACE.
- C-PACE is a tool for local governments to **help promote local investment, create clean energy jobs, and meet sustainability goals** through energy efficiency and clean energy projects.
- C-PACE provides **100% up-front private capital for clean energy and energy efficiency projects** on commercial properties. Improvements are repaid through a long-term surcharge on the property tax bill that transfers with sale of the property.

BENEFITS OF C-PACE

- C-PACE helps local Pennsylvania businesses **save money**, creates **local jobs**, **reduces pollution** from energy use, and **spurs local investment** in commercial properties.
- Pennsylvania already has over **86,000 jobs** in clean energy and energy efficiency. C-PACE will help grow this number by developing new projects and driving new investment.
- C-PACE has leveraged over **\$712 million** in clean energy and energy efficiency projects to date. Many experts expect to see C-PACE investment top \$1 billion by the end of 2018.

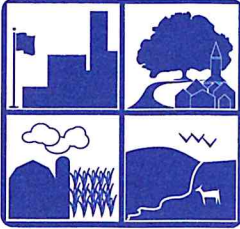
THE PENNSYLVANIA C-PACE PROGRAM

- The state has no formal role in the implementation of C-PACE, but that does not mean local governments are on their own. The Pennsylvania C-PACE Program, **administered statewide by the Sustainable Energy Fund (SEF)**, and by the **Philadelphia Energy Authority (PEA) in Philadelphia** will be a **turnkey program** for county governments to establish C-PACE locally at no cost.
- The Pennsylvania C-PACE Program is currently under development through a **collaboration with a broad-ranging stakeholder group**, including representatives from local governments, state agencies, tax experts, capital providers, contractors, state agencies, environmental groups, labor organizations, and more.
- When completed in January 2019, the program will include all the tools a county government needs to get started, including **specific program guidelines** and **eligibility requirements**, as well as **sample contracts** for capital providers, contractors, and property owners.

THE ROLE OF LOCAL GOVERNMENTS

- In order to establish the Pennsylvania C-PACE Program locally, county governments must **pass a resolution**. A model resolution will be available in January 2019, and is being developed in consultation with local tax attorneys and C-PACE financing experts.
- Once the Pennsylvania C-PACE Program is established locally, the main responsibility of the county government is to **collect C-PACE assessments** through the existing property tax collection process, and to **remit payment back to the C-PACE capital provider** via the program administrator. Instructions for this process will be included in the model ordinance.
- Optionally, counties and municipalities may support a local C-PACE program, once established, through **public awareness and training** for property owners, developers, local financial institutions, and contractors.

Visit www.PennsylvaniaCPACE.org for more information



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us

February 21, 2019

Kathleen Matason,
Centre Region Parks and Recreation Authority
545 Puddintown Road
State College, PA 16801

RE: Letter of Support

Dear Ms. Matason:

The Ferguson Township Board of Supervisors wishes to thank you for your service on the Centre Region Parks and Recreation Authority (CRPRA). Your work on the CRPRA has directly benefitted our region's and our township's residents. In particular, we recognize your judiciousness and diligence as Chair of the CRPRA Board. Chairing an authority board tasked with overseeing and assisting with the budget, staffing, programming, service, and the design of current and future parks brings with it tension and conflicts. We are heartened by your level-headedness and commitment.

Thank you again for your service.

Sincerely,
Township of Ferguson

Peter Buckland
Chairman, Board of Supervisors

c: Pam Salokangas, Director of the Centre Region Park and Recreation Authority Board
Correspondence file

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite #3

State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3088 • Website: www.crcog.net

AD HOC FACILITIES COMMITTEE

COG Forum Room

Tuesday, February 5, 2019

8:30 AM

AGENDA

1. CALL TO ORDER

Mr. Harden will convene the meeting.

2. CITIZEN COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minute per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the January 9, 2019 Ad Hoc Facilities Committee meeting is **enclosed**.

4. PRESENTATION FROM ILONA BALLREICH

The Committee should receive a presentation from Ms. Ilona Ballreich, program manager for the Sustainable Communities Collaborative, and assess its interest in exploring a partnership between the COG with Penn State University.

At its January meeting, the Ad Hoc Facilities Committee expressed an interest in receiving a presentation from Ms. Ballreich at its February meeting. This presentation will explore the potential for COG to partner with the Facility Management Institute and/or the Department of Architectural Engineering at Penn State through the Sustainability Communities Collaborative for its facilities management purpose.

After receiving the presentation, the Committee should ask questions and perhaps request additional information from Ms. Ballreich to further the discussion to determine if there is potential for a joint project and, if so, then how that project could be structured to ensure it will be successful for University and the COG.

5. OWNERSHIP AND COG BUILDING LEASE TERMS

At its January Meeting the Committee requested an update of the ownership of the COG Building, including the property it is situated on. Key points include:

- Land is owned by the Centre Region COG.
- Building is owned by the municipalities and leased to the COG for 25 years, until 2028.
- The total project cost of the building is \$2.5 million.
- The annual rent for the COG Building is approximately \$185,000 a year for approximately 15,800 sq feet of lease space. The total value of the rent over 25 years is \$4,625,000.
- Rent is not paid equally to the municipalities but rather it is based on the percentage of the building they purchased in 2003. In application the ownership percentages are the 2003 municipal share as identified in the COG Budget.
- The lease was recorded as a capital lease as the net present value of the lease payments exceeded 90% of the cost of the improvements.
- After 25 years, the lease is silent as to what should occur. There is no bargain purchase option, there is not a option to extend the lease. The elected officials in office in 2003 felt that elected officials who will be in office in 2028 would be in a better position than they were in identifying how the building should be used after 2028.
- Improvements and repairs to the building have all been paid through the annual COG budgets
- Staff feels the input received from the COG Building Space Evaluation (agenda item #6) and the COG Building Evaluation (as budgeted for in 2019) should help define the decision making process surrounding the current and future lease agreements.

The Committee should receive the historical information about the COG Building and ask questions/comment.

6. REQUEST FOR PROPOSALS – COG BUILDING SPACE EVALUATION

The Committee should decide whether to authorize a request for proposal (RFP) for a space evaluation to be performed at the COG Building.

At its December meeting, Mr. Jim Steff introduced a draft RFP for a space evaluation of the COG Building. Since that time the **enclosed** RFP has been updated. Mr. Steff will outline the document for the Committee members who should ask questions and recommend edits to the document.

The Committee should:

- a. Review the document and note areas of concern.

- b. Decide whether to refer the document, and possibility an amendment to the Centre Region Code Administration Budget to the General Forum for consideration. Mr. Steff will present a cost estimate for the project. It is likely to be under the COG's public bidding threshold of \$20,600.
- c. Provide COG staff with guidance on the process for issuing the RFP. Because it a bid for professional services and is under the bidding threshold there are several options:
 - 1) Advertise the RFP in the Centre Daily Times and solicit competitive bids.
 - 2) Distribute the RFP to four local architects that the COG has worked with successfully in the past (this is the staff's preferred option).
- d. Provide the COG staff with guidance as to the bid review and award process. For instance, does the Committee want to meet with some or all of the firms that have submitted proposals, and if the bid is below the public bidding threshold and funds are designed by the General Forum then the bid may be awarded by the Committee or the Executive Director.

7. PLANNING GUIDE FOR MAINTAINING SCHOOL FACILITIES - CHAPTER 2

At its December 4, 2018 meeting the Chair requested that the members of the Committee review Chapter Two of the Planning Guide for Maintaining School Facilities. The link to the document is <https://nces.ed.gov/pubs2003/2003347.pdf>.

The plan was for the Committee members to discuss the chapter and provide comments and direction for the Committee. Specifically the questions are:

- Is there a facilities maintenance plan?
- Is the facilities maintenance plan a component of overall organizational planning?
- Does the facilities maintenance plan include long and short term objectives, budgets, and timelines?
- Have potential stakeholders in the facilities maintenance planning process been identified?

The Committee members should discuss each question, placing a value on its importance to the plan on how COG should maintain its facilities. From there the Committee should decide if and who the person assigned to the task should be and whether or not it has been accomplished already. If the task has not been accomplished, the Committee members should discuss and define parameters they deem important for the person assigned to follow in accomplishing the task.

This agenda item is for discussion only and does not require Committee action.

8. FINANCE COMMITTEE REPORT

Mr. Francke should report any input received from the Finance Committee at its January 10, 2019 meeting.

9. MARCH MEETING DATE

Due to a planned vacation for staff, staff is requesting to delay the March meeting date one week from March 5, 2019 at 8:30 am to March 12, 2019 at 8:30 am.

The Facilities Committee should review this change and decide accordingly based on their availability.

10. OTHER BUSINESS

- A. Matter of Record - Staff has reached out to John Franek about aiding the COG Facilities Committee in the development of a vision statement for the Committee. Discussions are still in the early stages.

10. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3083 • Website: www.crcog.net

HUMAN RESOURCES COMMITTEE

COG Forum Room

2643 Gateway Drive

Wednesday, February 6, 2019

12:15 PM

AGENDA

1. CALL TO ORDER

Chairman Nigel Wilson will convene the meeting.

2. CITIZEN COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes from the January 9, 2019 Human Resources Committee meeting is **enclosed** for approval.

4. COMMITTEE PICTURES

COG Staff would like to take a picture of Committee members to include on our webpage that discusses the Human Resources Committee. COG believes it would add a personal touch and help residents identify their elected officials when needing to reach out to them.

5. OFFICE OF ADMINISTRATION - JOB DESCRIPTION (EXECUTIVE DIRECTOR)

As discussed at the January 9 HR Committee meeting, the COG Resolution 87-6, signed in August 1987, upgraded the position of the Director of Administration to that of the Executive Director of the Centre Region Council of Governments. The resolution outlines the powers and duties of the position, as well as an employment agreement that was approved by the General Forum in September 2004 between the Executive Director and the Centre Region Council of Governments. In addition, the position is described in the 2008 COG Articles of Agreement. However, the position of Executive Director does not have an official job description.

Enclosed please find the second draft copy of the job description for the Executive Director position. The job description has been revised to include some of the changes as discussed at the January 9 HR Committee meeting, including a section detailing the important intrapersonal skills that the Committee desires any incoming candidate to possess.

The Committee should review and provide further comment on the job description. Once the document is finalized, it will be shared as a Matter of Record with the General Forum. This will give all municipal and elected officials the opportunity to proactively consider the recruitment process for the next COG Executive Director when the time comes. If there are no changes to the job description, the Committee should consider the following motion:

“That the COG Human Resources Committee approved the job description for the COG Executive Director, dated February 6, 2019, and its assignment to Pay Grade E91.”

6. PUBLIC COMMENT GUIDELINES

Similar to the Meeting Etiquette Guidelines that were reviewed by the HR Committee and adopted by the General Forum in 2018, the General Forum has asked that the HR Committee develop and review guidelines for public comments received during COG related meetings.

Enclosed please find draft guidelines for public comments and pointers for conducting a successful meeting. The preliminary draft is to elicit the Committee’s thoughts on public comment procedures. All input is encouraged and welcomed, and as the Committee reviews the draft document, staff asks them to also consider how to develop the following processes:

- Should the current procedure for calling on a speaker remain in place, should the speaker use a sign in sheet, or should the COG staff make index cards available for the speaker to fill out and hand in prior to the start of the meeting?
- Do different rules apply to speakers who talk during the public comment period versus on a particular agenda topic?

The Committee should review the draft document and decide how to proceed. Similar to the Meeting Etiquette Guidelines that were developed, the HR Committee may recommend that the Guidelines be adopted by a resolution of the General Forum. When the guidelines are ready for referral to the General Forum the Committee should identify a motion to forward onto the General Forum.

7. PERSONNEL POLICY HANDBOOK UPDATE

The draft Personnel Policy Handbook was reviewed and discussed by the HR Committee at their December 2018 and January 2019 meetings. Following a lengthy discussion at the January 9, 2019, HR Committee meeting regarding the draft Ethics/Code of Conduct policy, specifically the section pertaining to elections, the HR Committee decided the section should be revised and a motion was made that the draft COG Personnel Policy Handbook go on for legal review, as amended.

The COG has a membership to Public Employer Labor Relations Advisory Service (PELRAS), and through PELRAS has been assigned to work with labor attorneys at a discounted rate. COG works with a firm out of Pittsburg, PA, Campbell Durrant Beatty Palumbo & Miller. The draft Handbook was forwarded on to the firm for review.

Following a preliminary review, the attorney said the policies seem to be well thought out, well written and in good order. They expected the official review to be completed by the first week in February and the attorney will allow some time to speak with the HR Officer any items that may warrant edits and/or further discussions.

This agenda item is for informational purposes only.

8. OTHER BUSINESS

- A. Matter of Record - The full time Parks Maintenance Staff Assistant position is being reclassified effective April 1, 2019, to a Parks Caretaker I position to more accurately reflect the duties being performed in the position. This change does not have any budgetary implications.
- B. Matter of Record - Schlow will hire a part time Philanthropy Assistant as discussed during the 2019 budget process, however, all costs associated with the position will be fully reimbursed by the Library Foundation.
- C. Matter of Record - The following is status report on various vacant positions in the COG.

Code - Code Services Manager: Advertising closed on December 3, 2018 and 68 applications were received. Management staff have reviewed the applications, selected an interview committee and have begun to discuss the competitive interview process. Once availability of the interview committee has been established, interviews will be scheduled.

Code - Commercial Plans Examiner/Building Inspector (SEOs 2): First round interviews were recently held, and recommendations have been made to the Agency Director for second round interviews.

Code – Electrical Inspector: First round interviews were recently held, and recommendations have been made to the Agency Director for second round interviews.

Code – Staff Assistant: First round interviews are currently being held.

Planning – Senior Planner: The CRPA has five interviews scheduled for Thursday, January 31, 2019. The CRPA staff is currently covering most work for the vacant Senior Planner position for Halfmoon Township, College Township and Regional Planning.

Planning – Sustainability Planner: Vacant following an abnormally high staff turnover in CRPA, the position will be advertised and filled in the future. In the interim, the CRPA Director and other CRPA staff have coordinated a written turnover plan documenting the work completed to date, contacts, file locations, and other materials necessary to transition the work to a new employee.

Planning – Office Manager: Following the interview process an offer was made and accepted by Marcella Bell. Marcella previously worked as a part-time Staff Assistant in CRPA and left for full-time employment with Ferguson Township. She was a great addition to the COG team and we look forward to working with her again. Marcella's start date will be February 18, 2019.

Parks – Caretaker I: Two fulltime positions were approved in the 2019 budget process. Proposed to start in March and April of 2019. Staff are currently reviewing applications and planning an interview schedule.

Parks – Staff Assistant: Vacant. Staff are currently reviewing applications and planning an interview schedule.

Parks – Staff Assistant Millbrook Marsh: Vacant. Staff are currently advertising, and recruitment ends February 1, 2019.

9. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

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State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3088 • Website: www.crcog.net

JOINT MEETING PUBLIC SERVICES & ENVIRONMENTAL COMMITTEE FINANCE COMMITTEE

COG Building - Forum Room

2643 Gateway Drive

February 7, 2019

12:15 PM

AGENDA

1. CALL TO ORDER

Chairmen Graham, COG Finance Committee, & Hameister, COG Public Services and Environmental Committee, will convene the meeting and introduce the participants.

2. CITIZENS COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit please). Comments relating to specific items on the agenda should be deferred to that point in the meeting.

3. JOINT SOLAR POWER PURCHASE AGREEMENT – *presented by Peter Buckland*

Recently, the Pennsylvania State University entered into a long-term contract with PRX Energy to provide consulting services related to the purchase of electrical power generated by solar panels. The University's goals were to reduce costs, enhance environmental sustainability, and minimize price fluctuations. Municipal officials familiar with the University's action thought that this purchasing model may be applicable to the public entities in the Centre Region that are interested in achieving the same ends.

This item asks the committees to discuss and determine a course of action on a potential joint solar power purchase agreement to potentially include the Centre Region municipalities, SCBWA, and SCASD. CATA and UAJA were also invited to participate, and recently the Centre County Refuse and Recycling Authority has been contacted as well. Currently each entity has its own separate electricity contract, but there is a desire (among some of the elected officials/board members in the Centre Region) to investigate if moving towards a cooperative agreement might be financially beneficial while encouraging environmental sustainability for all the parties.

Mr. Buckland will introduce the idea of a joint solar power purchase agreement outlining the interested parties, the benefits associated with such an agreement, the steps needed to be taken, the associated challenges, and the timeline for implementation.

At the January 28, 2019 Centre Region Finance Officers (CRFO) meeting, representatives from PRX Energy gave the **enclosed** presentation and discussed the benefits of a large-scale joint solar purchase power agreement. Also **enclosed** is the usage of electricity by entity. The attendees of the meeting felt a logical next step would be a similar educational presentation to the Finance and Public Services and Environmental Committees for the elected officials.

The Centre Region Finance Officers will be in attendance to provide insight and answer questions of the elected officials.

Possible questions/decision points for the committees are:

- 1) Do you think this energy purchasing concept should continue to be investigated?
- 2) If so, then what is the best way of obtaining municipal and General Forum “buy in” to explore this concept in more detail? For instance, are the committee members willing to discuss the idea with their municipal boards/councils or is there another process that should be followed to identify the entities that want to pursue this option for purchasing electric power?
- 3) Do you have any concerns about or parameters you wish to set related to this project?
- 4) Who should be the decision makers related to this project?
 - a. COG Committee with SCASD and SCBWA participation on this item
 - b. Ad Hoc Committee comprised of COG, municipal, SCASD & SCBWA officials/employees
 - c. Staff managed and lead
 - d. Each entity on its own
- 5) Is there an interest to place an item on the March Public Services and Environmental Committee agenda to authorize a Request for Information related to a joint solar power purchase agreement? To go forward with this project, there would likely need to be support from the State College Area School District and State College Borough Water Authority due to the need to purchase a sufficient quantity of electricity to make this project financially feasible for all entities.

4. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3

State College, PA 16801

Phone: (814) 231-3077 Fax: (814) 231-3083 Website: www.crcog.net

EXECUTIVE COMMITTEE

COG Building - Forum Room

2643 Gateway Drive

February 19, 2019

12:15 PM

AGENDA

1. CALL TO ORDER

Chair Steve Miller will convene the meeting.

2. CITIZEN COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the January 22, 2019 Executive Committee meeting is *enclosed*.

4. COMMITTEE PICTURES

COG Staff would like to take a picture of Committee members to include on our webpage that discusses the Executive Committee. COG believes it would add a personal touch and help residents identify their elected officials when needing to reach out to them.

5. UNIT VOTES AT GENERAL FORUM MEETINGS

This agenda item asks the Executive Committee to discuss and provide comments on questions from the COG Chair relating to how unit votes occur at the General Forum meetings. The Chair is asking the Executive Committee to consider action to recommend that the General Forum charge the Executive Committee with reviewing the current practices for municipal unit votes and proposing procedures for the future.

Mr. Miller will introduce the topic of municipal units votes as they relate to the Pennsylvania Sunshine Act that requires agencies to deliberate and take official action on agency business in an open and public meeting. It requires that meetings have prior notice, and that the public can attend, participate, and comment before an agency takes official action. A communication was sent to COG Solicitor Terry Williams asking him for an opinion on this matter.

As far back as anyone at COG can remember the practice of a unit vote has been used at General Forum meetings. It has been done by tradition and there is no documentation to explain or approve its use. Essentially, the way the unit vote works is:

- A unit vote can be called by any General Forum member on any topic. In more current days unit votes have been used to ascertain municipal positions on topics requiring a unanimous position of the General Forum. By way of example, during the January 28, 2019 General Forum meeting a unit vote was called to identify whether the municipalities supported revisions to the Master Site Plan for Whitehall Road Regional Park. As you may recall changes to Master Site Plan must be unanimously approved by the five participating municipalities.
- After a unit vote is called, the COG Chair recesses the General Forum meeting usually for five to ten minutes.
- During that recess each municipality holds a caucus of its governing body. In broad terms the General Forum breaks-up in six groups that meet in different parts of the forum room. Frequently, the municipal manager joins the caucus. No minutes are taken, the caucus gives the members of the governing council/board an informal opportunity to talk among themselves and to identify how the municipal vote will be cast.
- There are no rules governing whether a quorum needs to be present when a unit vote is made.
- When the municipalities are ready, the COG Chair reconvenes the General Forum meeting and all the General Forum members return to their seats.
- The COG Recording Secretary asks each municipality how they vote.
- The municipal chair/president reports the governing body's yes or no vote on the motion.
- The Recording Secretary reports the vote to the COG Chair and the Chair announces whether motion passed or failed.

In light of several unit votes that have occurred during the last four months, questions have arisen as to whether the members of the public can participate in the municipal caucuses or whether municipalities should caucus prior to voting and does the unit vote process not fall under the Pennsylvania State law.

It should be noted that there is a variation to a unit vote process. This occurs when a General Forum meeting is also advertised as a public meeting of the individual boards/councils. This happens when funds are borrowed and municipalities act to guarantee a loan, and when the Act 537 Sewage Facility Plan is amended to extend the sewer service area. For this type of unit vote, minutes are recorded and a quorum of the governing body is required to be present.

To proceed Mr. Miller asks the Executive Committee to consider forwarding the following motion to the General Forum:

“That the General Forum ask the Executive Committee to review the current practices for municipal unit votes that are cast at General Forum meetings including sessions that are advertised as meetings of individual municipal boards and councils and propose procedures for the future.”

6. JOINT SOLAR POWER PURCHASE AGREEMENT

This agenda item asks the Executive Committee to either endorse or request that the General Forum endorse, the use of COG staff time (primarily the Finance Director with less time committed by the Executive Director) to advance a regional discussion regarding the interest of exploring in more detail the concept of a joint purchase of solar energy to save funds and enhance environmental sustainability.

During the February 7, 2019 Joint Public Services and Environmental and Finance Committee meeting the two groups, along with representatives of other local entities, discussed the idea of a regional project in which the six Centre Region municipalities, COG, State College Area School District and the State College Borough Water Authority would enter into a joint power purchase agreement to purchase solar power. The model for this Regional Solar Power Purchase Agreement is an agreement recently entered into by Penn State University. Both committees as well as the other public entities supported further investigation and information gathering of the concept.

At the meeting the Public Services and Environmental and Finance Committees both requested that the Executive Committee authorize the COG Administrative offices to dedicate time to aid in the setup and initial administration of the project as a 2019 work task. This request was made due to the project not being on the 2019 work tasks for the COG Office of Administration. Looking ahead, after the Centre Regional Planning Agency is fully staff, its Sustainability Planner may have a role in this project as well.

The Executive Committee should discuss whether there is support for the COG to participate in this project and should the investment of staff time be authorized. Because this project is so new there is not an accurate estimate about the amount of staff time that may be involved. The options available to the Committee are:

- A. Deny the request
- B. Approve the request
- C. Refer the request to the General Forum with or without a recommendation

As background information *enclosed* is a communication that will be sent to the individuals who attended the February 7, 2019 meeting and the municipal managers.

7. 2018 YEAR END FIRE ACTIVITY REPORT

This agenda item asks the Executive Committee to schedule an informational presentation at the February 25, 2018 COG General Forum meeting about 2018 incident statistics for the Regional Fire Protection Program.

The presentation will be made by Mr. Steve Bair and will be completed within ten minutes. In terms of call volume, during 2018 there were 1,308 incidents, the second highest on record. 2017 was the busiest year with 1,359 incidents. Included with the report will be a review of the program's mission, standard of care, number and type of calls, program assets, and future major issues confronting the COG, the municipalities and the fire service.

The Executive Director is recommending the Executive Committee consider scheduling this presentation because during 2019 the Regional Fire Protect Program and related services will be a focus of budgetary and policy level discussion and the year-end report provides a description of the type of call volume occurring in our community.

The Executive Committee should decide whether to authorize the proposed 2018 Year End Fire Activity Report.

8. EXECUTIVE DIRECTOR'S REPORT

Mr. Steff will provide an update of COG activities for February 2019 including discussions relating to conducting a study of the regional fire protection program in 2020, the status of the parks and recreation regional comprehensive plan and a staff proposal to conduct a learning session on Robert Rules of Order during an evening session sometime this spring.

Mr. Steff wishes to draw to the Committee's attention the following links to two articles that were published in the February 14, 2019 edition of the Centre Daily Times:

- a. Pennsylvania will fund \$670 million Seven Mountains to State College transportation project. <https://www.centredaily.com/news/local/article226148420.html>
- b. Major Development could be headed to Halfmoon Township. <https://www.centredaily.com/news/local/article226196915.html>

If approved, both projects will have a significant impact on the Centre Region municipalities and may cause rigorous discussion at the regional level. The Halfmoon Township proposal is to extend the regional growth boundary/sewage service area by 985 acres along the Halfmoon/Patton Township border. This will require that a Development of Regional Impact (DRI) Application be submitted to the Centre Regional Planning Agency and to the COG. To be approved DRI applications must be supported by five of the six municipalities including the community in which the project is located. If approved by the Halfmoon Township Board of Supervisors, this DRI is expected to be submitted during the second quarter of 2019.

9. OTHER BUSINESS

- A. Matter of Record - Next month's meeting of the General Forum is scheduled for March 25, 2019 at the COG Building. Tentative agenda items include: budget amendments to repair the barn roof at the Millbrook Marsh Nature Center. Following Finance Committee approval, the Executive Committee may be asked to authorize a budget amendment to conduct a space evaluation study of the COG building, and purchase of a chemical control monitor for the pool. Both items are expected to cost less than the

COG’s purchasing threshold of \$20,600. In addition, the TLU Committee may request the staff present an update.

B. Matter of Record – The following is an update of the status of planning and evaluation studies currently underway at the COG.

	Planning Activity	Status
1	Update Personnel Policy Plan	A draft is complete and is under legal review. The Human Resources Committee may complete its final review at the end of the first quarter. The new Plan should be adopted by the General Forum during the second quarter.
2	Parks and Recreation Regional Plan	This project is well underway – community meeting held, key person interviews almost completed, and a community wide randomized survey should be conducted in March. This plan should be complete during the fourth quarter. \$90,000 is included in the 2019 budget for the study and survey.
3	Space Evaluation Study of COG Building	A Request for Proposals has been reviewed and has been issued by the Ad Hoc Facilities Committee. Proposals are due March 11 th . Because funding is not included in the 2019 COG Budget, an amendment to the CRCA budget will be necessary.
4	Study of Regional Fire Protection Program	The Public Safety Committee has been asked whether to recommend this study to the General Forum and, if so, then should a Steering Committee be appointed to guide the process. If a study is approved, then a Steering Committee will be established and members appointed during the second quarter and the RPP completed in the third/fourth quarter. Funds for this study will be requested in the 2020 Budget.
5	IT Study	COG Staff is working with a consultant, paid on an hourly basis, to prepare a Request for Proposals or Request for Qualifications. \$20,000 is included in the 2019 budget for this study.
6	Code Software Study	The Code Director is meeting with a prospective project manager who would coordinate the study process. The 2019 budget includes \$40,000 for this first phase of the study process.
7	COG Facilities Evaluation	\$50,000 is included in the 2019 budget for this study of system (e.g. HVAC systems) and building components (e.g. roofs) of all COG facilities (including the fire stations and parks and recreation buildings).

- C. Matter of Record – *Enclosed* is a job description for the position of COG Executive Director that the HR Committee approved during its February 6, 2019 meeting. The position’s duties are generally described in the COG Articles of Agreement and in a resolutions of the General Forum. The Committee believed the time has come to have a formal document.
- D. Matter of Record – *Enclosed* is an article regarding Penn State’s solar panel project in Franklin County, PA.

10. TENTATIVE AGENDA ITEMS

The following are agenda items tentatively scheduled for discussion at the February 25, 2019 General Forum meeting, which will be held in the Centre Region COG Building.

- A. Pledge of Allegiance
- B. Proposed Interim Procedures for Unit Votes
- C. Fire Protection Program 2018 Report

11. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 3
State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3083 • Website: www.crcog.net

February 14, 2019

TO: Jesse Barlow, State College Borough Council
Gretchen Brandt, SCASD Board
Randy Brown, SCASD Business Administrator
Amber Concepcion, SCASD Board
George Downsborough, Patton Township and COG Vice-Chair
Rich Francke, College Township Council
John Franek, College Township Management Analyst
Bud Graham, Harris Township Board
Jason Grottini, SCBWA Board
Dennis Hameister, Harris Township Board
Patti Hartle, Halfmoon Township Board
Robert Jacobs, Centre County Planning Director
Katie McCaulley, SCBWA Assistant Executive Director
Steve Miller, Ferguson Township and COG Chair
Evan Myers, State College Borough President
Barbara Spencer, Halfmoon Township Board
Betsy Whitman, Patton Township Board
Carla Stilson, College Township Council

Municipal Managers

FROM: Drafted at the request of the aforementioned individuals by Peter Buckland, Ferguson Township Chair and representative to the COG Public Services and Environmental Committee, Eric Endresen, Ferguson Township Finance Director, and Joe Viglione, COG Finance Director

SUBJECT: Intergovernmental Solar Power Purchase Agreement (SPPA)

This communication is written at the request of individual board/council/authority members of College Township, Ferguson Township, Halfmoon Township, Harris Township, Patton Township, Centre Region Council of Governments, Centre County, Centre County Refuse and Recycling Authority, State College Area School District, State College Borough, and the State College Borough Water Authority.

These individuals met on February 7, 2019 to discuss the concept of a joint purchase of solar energy in order to lower operational costs, reduce the carbon footprint of our region, and to set an example for the community.

At the meeting support was expressed by the individuals that the concept ought to be examined in more detail and the governing bodies of each entity should be asked whether they would support the gathering of additional information, further discussion, and an initial investigation on how such a partnership could occur.

If your governing body supports exploring this idea in more detail then there are many ways that it could be organized as to address the concerns of all the parties. This effort is meant to be a cooperative intergovernmental partnership that offers each governing body an organizational arrangement that it can live with.

POLICY QUESTION

This communication asks whether your governing body is interested in exploring and collecting additional information relating to the opportunity to obtain clean, reliable and affordable solar-generated energy in partnership with other public entities in the Centre Region and, possibly in the future, Centre County.

LOCAL BACKGROUND

Recently, the Pennsylvania State University entered into a long-term contract with PRX Energy to provide consulting services related to the purchase of electrical power generated by solar panels. The University's goals were to reduce costs, enhance environmental sustainability, and minimize price fluctuations.

Municipal officials familiar with the University's action thought this purchasing model may be applicable to the public entities in the Centre Region that are interested in achieving the same ends.

WHAT IS A SPPA?

A Solar Power Purchase Agreement (SPPA) is a financial arrangement in which a third-party developer owns, operates, and maintains the photovoltaic (PV) system. The customer – in this case an intergovernmental group – enters into a contract with a developer to purchase a system's electric output at a predetermined rate and time period, generally 15-25 years. This arrangement allows the customer to receive stable and often low-cost electricity, while the solar services provider or another party acquires valuable financial benefits, such as tax credits and income generated from the sale of electricity.

The solar farm land would be located elsewhere on the PJM grid land leased by the developer. The customer does not own the PV system itself. These arrangements ensure that customers do not bear the large upfront capital costs, system performance risks, or complex design and permitting costs. SPPA's can be cash flow positive from day one.

POTENTIAL BENEFITS

In fall 2018, Joe Viglione, Eric Endresen, and Peter Buckland discussed the possibility of a regional intergovernmental solar power purchase agreement. It was recognized that our municipalities, school district, and local authorities have explicit fiduciary goals and requirements, and some have environmental and climate-related goals. Penn State University projects to save millions of dollars on its SPPA over the course of a 25-year fixed rate with an escalator. It is possible that a large enough pool of electricity demand could create an economy of scale that would be cost competitive with current power prices and likely beat future energy prices as fossil fuel sources become more volatile and subject to carbon taxes, fees, or cap and trade systems, all of which are on state and federal legislative or regulatory agendas.

While we do not have hard and fast numbers at this time for prices per kilowatt hour (kW/h) of electricity we have received some possible ballpark numbers. The average estimated cost per kW/h of electricity for the currently interested parties is ~5.1 cents. A reasonable estimate for a purchase of 20-25 million kW/h solar PPA appears to be 4.8 cents. This would result in an estimated system-wide annual savings of \$77,748. It would also result in no carbon emissions, instead of the EPA estimated 18,327 metric tons of carbon emissions. We would thereby mitigate climate impacts from fossil sources of energy and avoid future costs that are likely to be incorporated through a tax or fee on carbon sources. In addition, a very low-end carbon fee that is estimated to assess \$10/ton, this solar PPA would potentially avoid \$183,270 worth of future carbon fees annually. The entities would not be required to own or maintain the solar photovoltaic system.

DISCUSSIONS OCCURRING TO DATE

A special information session of the Centre Region Finance Officers was held on January 29, 2019. The SCASD, SCBWA, Centre Region municipalities and COG were represented at this meeting. In order to better understand the solar PPA, representatives from PRX Energy were invited to the session provide an overview of: Pennsylvania Act 213 that requires public utilities to source a percentage of their sales from renewable sources and the process that Penn State University used to make a decision to enter into a PPA. PRX Energy was invited because it recently had a facilitating role in the discussions that occurred at Penn State University and resulted in the execution of a solar PPA agreement.

At the February 7, 2019 Joint Public Services and Environmental and Finance Committee meeting the committees discussed the idea of a regional project in which the member municipalities, COG, SCBWA, CCRRA, and SCASD would enter into a joint power purchase agreement to purchase solar power. The model for this power purchase agreement would be the agreement Penn State entered into with Lightsource BP to develop a 70 megawatt offsite solar photovoltaic system. Both committees expressed support to transition this idea into a project.

NEXT STEPS AND STRUCTURE

The Public Services and Environmental and Finance Committee both requested that the COG Executive Committee authorize the COG Administrative office to dedicate time to aid in the setup and initial administration of the project as a 2019 work task. This request was made due to the project not being on the 2019 work tasks for the COG Office of Administration (nor the Planning Agency which could also have a significant role in the project when fully staffed as well). Should the Executive Committee motion pass, this does not mean that COG owns this project but that they can facilitate and shepherd it, at least initially.

Staff is requesting that the Executive Committee discuss and, if there is support, to begin the exploratory process for the project, approve the allocation of staff time to begin the process of setting up the organizational structure of the group, compile information for the municipalities, attend meetings, and aid in the development of a request for qualifications (RFQ).

It is important to stress all parties believe a deliberate, well-informed, fact-based, and cooperative approach that is built on the stewardship of our relationships, our fiduciary responsibilities, and our natural environments needs to be at the heart of this initiative. There is no rush.

Possible next steps include:

1. The general concept of a solar PPA is presented to the governing bodies.
2. The governing bodies, in discussing the SPPA concept, are asked to identify questions they have at this early point and provide a sense if there is support to continue studying a SPPA.
3. The sense of the governing bodies should be reported back to Jim Steff, COG Executive Director, by March 27, 2019.
4. If there is sufficient study to continue the concept, then decide whether there is interest in exploring the concept of a SPPA.
5. If sufficient interest is expressed, each body should assign a representative to serve on a working group to decide how to proceed. Sufficient interest means that the potential size of the energy purchase should produce an outcome in which each party will save funds.
6. A four-step process for learning and decision-making would need to be initiated.
 - a. The ad hoc intergovernmental group would put together a Request for Qualifications (RFQ) from energy consulting firms who could work with the intergovernmental group to draft Requests for Information (RFI) about potential solar PPA projects and/or Requests for Proposals (RFP) for solar PPA projects.
 - b. Draft an RFI and review responses.
 - c. Draft and RFP, review responses, and potentially engage firms in interviewing.
 - d. Negotiate terms and conditions of a solar PPA.

Lightsource BP to Build U.S. University Solar Project

By Reuters

- Feb. 5, 2019

LONDON — Lightsource BP, Europe's biggest solar energy developer, will build a 70 megawatt (MW) solar project for Penn State university in Pennsylvania, the company said on Tuesday.

** The project is expected to be complete by July 2020 and will provide around 25 percent of the university's state-wide electricity demands for 25 years, Lightsource BP said.

** No financial details were released.

** More than 150,000 solar panels will be installed in total in three locations near the university campus.

** Lightsource has been ramping up investments in the United States and last year bought a 135 MW portfolio of six solar assets in Pennsylvania and Maryland from Orion Renewable Energy Group LLC. [nASAooPRM]

** Oil major BP acquired a 43 percent stake in Lightsource in 2017.

(Reporting By Susanna Twidale; editing by Emelia Sithole-Matarise)

Summary - All Entities

<u>Month</u>	<u>CCRRA</u>	<u>SCASD</u>	<u>SCBWA</u>	<u>CATA</u>	<u>COG</u>	<u>SCB</u>	<u>Ferguson</u>	<u>Patton</u>	<u>College</u>	<u>Halfmoon</u>	<u>Harris</u>	<u>Total</u>
January	70,784	1,474,887	409,045	-	113,920	254,360	39,675	45,331	88,000	7,805	13,509	2,517,316
February	61,520	1,244,806	441,272	-	115,955	282,340	39,675	39,150	88,000	10,860	11,177	2,334,755
March	60,240	1,115,968	383,280	-	106,651	267,078	39,675	36,074	88,000	10,231	8,916	2,116,113
April	46,864	1,038,836	387,090	-	108,033	292,515	39,675	35,507	88,000	6,598	8,142	2,051,260
May	43,296	1,045,919	386,012	-	100,395	305,233	39,675	27,194	88,000	6,215	4,789	2,046,728
June	39,704	978,098	362,209	-	118,101	317,951	39,675	25,926	88,000	4,507	3,234	1,977,405
July	43,360	811,785	346,405	-	161,032	330,669	39,675	25,899	88,000	3,977	3,331	1,854,133
August	43,432	828,907	339,381	-	167,354	330,669	39,675	26,667	88,000	4,045	4,470	1,872,600
September	44,024	1,293,683	297,486	-	160,564	292,515	39,675	29,246	88,000	3,581	3,757	2,252,531
October	39,776	1,196,764	361,938	-	154,772	305,233	39,675	26,383	88,000	3,984	4,567	2,221,092
November	54,232	1,315,030	363,590	-	116,609	267,078	39,675	31,563	88,000	2,926	7,197	2,285,900
December	62,976	1,402,372	381,958	-	99,928	254,360	39,675	41,203	88,000	4,141	12,141	2,386,754
Total	610,208	13,747,055	4,459,666	-	1,523,314	3,500,001	476,100	390,143	1,056,000	68,870	85,230	25,916,587
% Usage	2.35%	53.04%	17.21%	0.00%	5.88%	13.50%	1.84%	1.51%	4.07%	0.27%	0.33%	100.00%

CCRRA did not submit the terms of its contract

The SCASD contract expires 6/30/20 (3 year contract) and our rate is \$.05108

The SCBWA contract end date is May 2021 and we are paying \$0.04727 per Kwh and \$0.04819 per kwh from our other supplier.

CATA has elected not to participate at this time.

COG is currently locked in until May of 2020 and are paying 6 cents per kwh for power used.

St College Borough is currently locked in until May of 2020 and are paying between 3.5 and 5.5 cents per kwh for power used.

Ferguson is in a contract until 9/21/21 at a price of .04942 per KWH

Patton Township's agreement through May 2020, 4.985 cents/kWh.

College Township's current contract with Constellation runs until end of 2019 @ .0592, then at .05698 until the end of 2020, then at .05216 until the end of 2022.

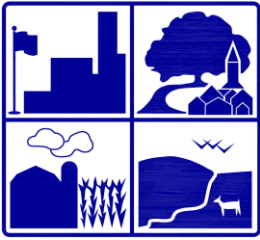
Halfmoon Township's rate is 5.09 Cents/ KWH and its contract is currently expired.

Harris Township is in a 24 month contract than expires in February 2020. We are paying \$.05329.



Manager's Report February 19, 2019

1. The Township's new Ordinance Enforcement Officer, Stacey Mayes, began working with the Township. Stacey joins the Township after a career as a correctional officer.
2. A meeting of the CBICC's Municipal Manager Committee was held on February 13th. Topics discussed included updates on economic development projects, both past and present, including Morgan Advanced Materials, KCF Technologies, and a new potential growth and expansion project in College Township. A draft rubric against which potential economic development projects will be evaluated was also reviewed.
3. The Ferguson Township Parks and Recreation Committee met on Monday, February 11th. Topics discussed included a continued discussion of 2019 goals for the committee and the draft "low mow" map for Fairbrook Park. The Committee will review some revisions proposed to the map during their March meeting and it will be presented to the Board of Supervisors for approval once completed.
4. The Suburban Park Master Plan Steering Committee meeting was cancelled due to inclement weather and was rescheduled for February 19th. A verbal update on the meeting will be provided.
5. The Finance Director and Township Manager have begun to have discussions with Concord Financial about appropriate funding options to finance the Public Works Maintenance Facility and the renovations of the administrative office. The Board can expect a further update and requested action as design of the Public Works Maintenance Facility nears completion.
6. A meeting of the Police Pension Advisory Committee was held on February 1st. The portfolio is performing well given unfavorable market conditions in the fourth quarter of 2018, and the pension's investors are confident that the fund's performance will remain strong in 2019. A presentation will be given to the Board at an upcoming meeting.



TOWNSHIP OF FERGUSON

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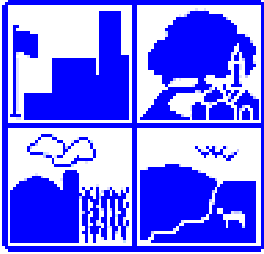
Planning & Zoning Director's Report Tuesday, February 19, 2019

PLANNING COMMISSION

The Ferguson Township Planning Commission met on February 11, 2019 and included the following discussion

REGULAR MEETING

- An Active Plan List is attached for the Board of Supervisors consideration (2/13/19).
- Planning Commission Regular Minutes from the December 4, 2018 and January 28, 2019 meetings and the January 28, 2019 Organizational Meeting.
- **FERGUSON TOWNSHIP PUBLIC WORKS BUILDING LAND DEVELOPMENT PLAN**
The Planning Commission conducted its initial review of the Public Works Building Land Development Plan and provided questions and comments to Dave Modricker, Public Works Director related to methods of stormwater management and the proposed rain garden, safeguards related to the fueling station, access to existing amenities such as the composting area, impact on office space with the current Township building, and general comments related to the overall cost of the project.
- **ZONING AND SALDO ORDINANCE REVISIONS UPDATE**
Carolyn Yagle with Environmental Planning & Design attended and continued discussion from the January 28, 2019 Planning Commission meeting to review changes and revisions within the 5th Draft of both ordinances. Ms. Yagle also discussed the format of the Ordinance Open House scheduled for February 21, 2019 from 6:00-8:00 p.m. in the Main Meeting Room.
- **PINE GROVE MILLS SMALL AREA PLAN**
Jim May intends to give the Board of Supervisors an update on the work completed thus far with the draft Small Area Plan at a meeting in March, as he also intends to give an update to the Planning Commission. The Steering Committee meeting was cancelled on February 13, 2019 and rescheduled for March 13, 2019 at 6:00 p.m.
- **CBICC - ABC ESSENTIALS**
Lisa Strickland, Planning Commission Chair and the Planning & Zoning Director will be participating in the first hour-long discussion as part of a series of presentations designed to explore authorities, boards and commissions. The first of the series is titled "The Future's Blueprint" to be held on Wednesday, February 20, 2019, 5:15 p.m. at the CBICC Offices.



TOWNSHIP OF FERGUSON

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Telephone: 814-238-4651 Fax: 814-238-3454

TO: Ferguson Township Board of Supervisors

FROM: Lindsay K. Schoch, Community Planner
Raymond J. Stolinas, AICP, Planning & Zoning Director

DATE: February 13, 2019

SUBJECT: Active Plans in the Township

In an effort to keep the Planning Commission and Board of Supervisors up-to-date on current developments, staff is providing a list of Active Plans and other Projects in the Township.

Currently, the Township has two (3) Active Plans and one (1) Proposed Concept Plan.

Harner Farm Proposed Concept Plan: The Planning Commission held a preapplication conference with Aspen Whitehall Partners, LLC, Aspen Route 26 Partners, LLC, Penn Terra Engineers, and representatives from Sheetz on Tuesday, December 4, 2018. The proposal is for approximately 27 acres encompassing the southeastern portion of the Harner Farm. The developer is proposing a 6,077 square foot Sheetz convenience store, a multi-use building with retail on the first floor and apartments on the second floor, and a 36 lot residential subdivision. The Planning Commission had the opportunity to make comments and ask questions but did not have major concerns about the project as it is proposed in the Concept Plan. A Traffic Scoping Meeting was held on December 19, 2018 at which time the Township Engineer, Consulting Traffic Engineer and Community Planner met with PennDOT, PennTerra, Wooster Engineers, and Aspen Route 26 Partners to discuss the scoping application. The scoping application has been amended and resubmitted for signatures. The scoping application must be approved and signed prior to the Traffic Impact Study being conducted. *The Concept Plan was presented to the Board of Supervisors on January 21, 2019, at which time the Board was able to give comments and feedback on the proposed Plan. The Planning and Zoning Director prepared a letter to Justin Mandel, giving an overview of the input from both the Planning Commission and the Board of Supervisors. Staff met with Penn Terra and representatives from Sheetz on January 30 to discuss the proposed Plans and ordinance requirements and look forward to the submission of a subdivision plan, then land development plan.*

King Wealth Strategies Land Development Plan: This Plan, submitted on June 26, 2018 by Penn Terra Engineering, Inc. on behalf of the owners/applicants, Laura and Thomas King, is proposing a conversion of the existing residential rental property located at 222 Blue Course Drive to their financial planning business office. Tax Parcel 24-12-12 contains .369 acres and is zoned General Commercial and lies within the Corridor Overlay. The existing building is 2,800 square feet with 1,400 on both the first floor and the basement. Prior to the submission of the plan, five (5) variances were approved by the Zoning Hearing Board. They are as follows: Reduction of the required parking spaces by 2 spaces; Reduction of the 50' front parking setback by 34'; Reduction of the 15' flexible buffer yard by 7.5'; Reduction of the 75' required minimum distance between driveway entrances by 15'; and Reduction of the 18' required parking stall length by 2'. The Planning Commission made its initial review and comment on the Plan at its July 9, 2018 meeting. The applicant is requesting a variance and two appeals. The Variance (granted) for relief from Section

27-206, Yard Requirements and the Appeals (*withdrawn*) for the interpretation of Section 27-206 and Chapter 26, Stormwater. The Plan was resubmitted to staff for review along with a request for consideration of a modification from Chapter 22, Subdivision and Land Development. The request for modification is relief from Chapter 22, Part 5, Section 22-510.2.C Grading, which states: “in all cases, the bottom of the excavations or fills shall be a minimum of five feet from the property line of developed lots. The Request for Modification is on the January 21, 2019 Board Agenda for Consideration. **Plan Expiration: April 2, 2019. The applicant requested the request for modification be tabled until further notice.**

Pine Hall Traditional Town Development General Master Plan: On February 21, 2018 Residential Housing Development, LLC submitted a General Master Plan for the Pine Hall TTD. A Master Plan currently exists for Pine Hall, but Residential Housing Development, LLC has a different vision, therefore is proposing a new General Master Plan. The Plan was at a stay until decisions were made from both the Zoning Hearing Board concerning the validity challenge and the Court of Common Pleas concerning the procedural challenge—both decisions have been denied and since, appealed by Circleville Partners. Staff submitted initial plan comments to the developer on Friday, March 30, 2018. The Board of Supervisors reviewed the Plan and made initial comments at its April 16, 2018 meeting and the Planning Commission reviewed and made initial comments at its April 23, 2018 meeting. Staff met with the Pine Hall Development Team to discuss initial comments. A Joint Public Work Session with the Board of Supervisors and Planning Commission was held on June 5, 2018. The Pine Hall Design Team submitted a summary of the meeting to staff. Trans Associates submitted the Traffic Impact Study to staff on Monday, July 30, 2018 for review. The General Master Plan was formally submitted to staff for review on August 1, 2018, which started the 90-day review period for the Board of Supervisors to consider approval of the Plan. The Planning Commission reviewed the proposed plan on Monday, August 27, 2018 and had minimal comments and some public comment. Staff has prepared a schedule to move the Plan forward. The traffic study is under review, terms and conditions and agreements are being prepared in preparation for a Public Hearing. Circleville Partners appealed the decision of the Zoning Hearing Board (to the Court of Common Pleas) and the Court of Common Pleas decision (to the Commonwealth Court). Plan review comments were submitted to the developer on September 19, 2018. Staff had a meeting with the Design Team on October 2, 2018 to discuss the various agreements, terms and conditions, and other items. On October 30, 2018, the plan was resubmitted to staff, reviewed, and comment letter was sent to the developer and their team on November 14, 2018. The traffic impact study is still in discussions and the developer’s transportation engineer is reviewing township comments. **Traffic Impact Study is still undergoing review and staff is working on the agreements that go along with the plan. Updated Plans were submitted to staff, and the response letter was sent to reviewers. At this time, the majority of the comments are addressed. Plan Expiration is April 8, 2019. Staff has also forwarded comments to the applicant regarding the Workforce Housing Agreement and continue to work towards Terms and Conditions.**

Ferguson Township Public Works Building Land Development Plan: Keller Engineers, Inc. submitted plans, on behalf of the Ferguson Township Public Works Department, on February 7, 2019. The new facility will encompass approximately 13,000 ft.² that will house offices, vehicle repair bays and vehicle fueling island with canopy. Also included with the proposed plans are paved parking and truck court, sidewalks, an employee patio and landscaping. New utility connections and stormwater management facilities will also be furnished with the new building. Access will be from the upper existing driveway off Research Drive. Stormwater will be handled through several existing swales and detention basins that will be enhanced by meadow and additional landscaping. **Plans have been sent out for further review and are due back by February 22, 2019. Planning Commission comments will be incorporated into the overall review.**

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, DECEMBER 4, 2018
6:00 PM**

I. ATTENDANCE

The Planning Commission held its 1st regular meeting of the month on Tuesday, December 4, 2018 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Lisa Strickland, Chairperson
Bill Keough, Vice Chairperson
Ralph Wheland
Marc McMaster
Rob Crassweller
Eric Scott
Jeremie Thompson
Shannon Holliday, alternate, absent

Staff:

Ray Stolinas, Director of Planning & Zoning
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance were: Marcella Bell, Recording Secretary; Mark Kunkle, Ferguson Township resident; John Sepp, PennTerra Engineering; Mark Toretti, PennTerra Engineering; Thomas Lechleitner, Harner Farm Concept Plan; Brian Dinges, Sheetz Senior Real Estate Site Selector; Justin Mandel, Aspen Whitehall Road Partners; Brent Brubaker, Sheetz Engineer Manager; Michelle Spiering, Ferguson Township resident

II. CALL TO ORDER

Ms. Strickland called the meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. HARNER FARM CONCEPT PLAN

Mr. McMaster recused himself from this discussion and sat in the audience.

Mr. Stolinas stated that Aspen Whitehall Partners, LLC and Aspen Route 26 Partners, LLC are proposing the development of the 27-acre portion of the Harner Farm south of Whitehall Road. The proposed development includes 36 single-family lots ranging in size from 0.25 acres to 0.50 acres and 2 commercial lots. Two public roads will be constructed to serve the project. Under Chapter 22-302, Preapplication Conference, a potential applicant for a subdivision or land development can request a conference with the Planning Commission for the purpose of discussing or reviewing such proposed subdivision or land development. The preapplication conference is not mandatory and does not constitute a formal application submission. The Planning Commission, at its sole discretion, may make, or refuse to make, recommendations as the result of the preapplication conference. Mr. Stolinas presented the proposed plan on his PowerPoint and reviewed some of the Corridor Overlay requirements.

Mr. John Sepp, President of PennTerra Engineering, reviewed the proposal. He stated that the proposal encompasses the southwest section of Harner Farm and has two public roads—one off of Whitehall Road and one off of West College Avenue. Mr. Sepp explained that he met with Township staff earlier this year with a different version of the proposal that showed the cul-de-sac going the whole way to West College Avenue, with Sheetz having its own access road. Due to the Corridor Overlay requirements, the two public roads were changed. Mr. Sepp explained that the proposed mixed use building is only a possibility and is not definite. There could be

offices and retail on the first floor and apartments on the second floor. Mr. Sepp stated that there are designated stormwater facilities, however, they have not been designed yet. Both commercial tracts would adhere to the Corridor Overlay zoning regarding setbacks and landscaping. Mr. Sepp stated that Wooster and Associates will be conducting the Traffic Impact Study (TIS) and included in the study are the R-1 homes, Sheetz, and the mixed use building.

In response to a question from Mr. Scott, Mr. Sepp stated that the proposed plan does not show the actual size of the stormwater basins—only the potential areas for stormwater basins. Mr. Keough clarified that the stormwater area in the lower left area represents about two acres and the stormwater area in the upper portion of the plan is about 1.5 acres. He also stated that there is a 50-foot buffer requirement for the Rural Agriculture (RA) parcel.

Mr. Keough stated that is not concerned about having another gas station in the Township because Sheetz is much more than just a gas station. He stated that Sheetz has a good product and is very successful. Mr. Keough spoke to his concern about the gas pumps at Sheetz in regard to the draft Sourcewater Protection Ordinance. He explained that the Sourcewater Protection Ordinance has not been tested with anything in the Township yet and he is concerned about unintended consequences.

In response to a question from Mr. Keough, Mr. Stolinas stated that during the rezoning of this property, there was some discussion about changing the zoning of the RA parcels to match what surrounds it, R-1.

In response to a question from Mr. Crassweller regarding public sewage, Mr. Sepp explained that his firm is still researching different options. The property is in the Sewer Service Area (SSA) and there are a couple of different options for that development, including the installation of a pump station.

In response to a question from Mr. Thompson, Mr. Brent Brubaker, Sheetz Engineer Manager, explained that there is a drive-thru lane for Sheetz. Mr. Brubaker went on to explain that the drive-thru lane is a convenience for a certain margin of Sheetz customers. Sheetz only does about 10% of its business through the drive-thru, compared to McDonald's, which does about 70% of its business through its drive-thru. Mr. Brubaker referred to the proposed plan on the PowerPoint and explained how the drive-thru would work in that location. In response to a question from Mr. Keough, Mr. Brubaker stated that Sheetz will be looking at getting an alcohol license for beer and wine.

In response to a question from Mr. Scott, Mr. Brian Dinges, Sheetz Real Estate Department, clarified that the proposed Sheetz building is 6,077 square feet, which is the largest building that Sheetz builds currently. In response to a question from Mr. Wheland, Mr. Dinges stated that there are about 50-70 Sheetz stores with drive-thrus. There was a brief discussion about the Planning Commission's concern regarding traffic issues with the proposed drive-thru. Mr. Dinges stated that the drive-thru is usually geared towards those who can't or don't want to park to come into the building—for instance, a mother with young children in car seats. Mr. Dinges explained that there are two windows in the drive-thru for customers to pick up food and there is also an escape lane if there were a car at the first window waiting for their items so that the second car at the second window could drive around the first car to leave. In response to a question from Ms. Strickland, Mr. Dinges stated that he believes that 45 parking spaces for the Sheetz building is sufficient because the customer's visit is a quick turnaround.

There was a brief discussion regarding the trail connection that was shown on the rezoning. Mr. Sepp stated that the trail will tie into the parkland discussion when a formal plan is submitted.

In response to a question from Mr. Wheland, Mr. Ressler stated that sidewalks will be required on West College Avenue and Whitehall Road, even though there are no other sidewalks on either of those roads.

Ms. Strickland expressed her concern about the Sheetz lighting affecting the neighboring residential housing. Mr. Sepp stated that Sheetz will have to meet the Township's lighting ordinance.

In response to a question from Mr. Keough, Mr. Justin Mandel, Aspen Whitehall Partners, stated that there have been preliminary discussions about the possible tenants and spaces within the proposed mixed-use building. He explained that a bank with a drive-thru is a possible tenant, as well as another food user that is not a competitor of Sheetz. The other uses would be for office space, and a possible professional medical space. He went onto explain that the second story apartments make sense for this area, but they will need to explore this option further.

Mr. Stolinas thanked the Planning Commission for its comments and stated that these comments will be passed onto the applicant for their consideration when they formally submit a plan.

V. FERGUSON TOWNSHIP DRAFT SOURCEWATER PROTECTION OVERLAY DISTRICT ORDINANCE

Mr. Stolinas stated that earlier this summer, staff met with the Ad Hoc Source Water Advisory Board on four occasions and developed a list of twenty-seven recommendations to the Board of Supervisors that were presented at a joint work session on October 9, 2018. The Board of Supervisors have further discussed the proposed Sourcewater Ordinance in relation to language within the adopted Stormwater Management Ordinance. The Board of Supervisors authorized advertisement for public hearing on January 21, 2019. Mr. Stolinas stated that staff has provided the draft ordinance to the Centre Region Planning Commission (CRPC), which will be reviewed on December 6, 2018. Staff will also send the draft ordinance to the Centre County Planning Department in the near future.

The Planning Commission provided the following comments on the proposed draft Sourcewater Protection Ordinance:

- Consider removing "private wells" from the purpose and intent statement on the first page or revise language for clarification of what a private well is.
- On page 1, last sentence, consider changing the word "farming" to "agriculture operations."
- On the second page, in the top paragraph, remove the word "scientifically."
- On page 3, agriculture operation definition, remove the last sentence within the definition.
- On page 3, "alteration, structural definition", the last line should say "the moving of a building from one location to another."
- On page 4, remove the "facility profile sheet" definition.

- On page 5, land development definition, where does the “minor subdivision” in the Subdivision and Land Development Ordinance (SALDO) come into play regarding costs incurred or approvals?
- Clarify the definition of “Zone II” versus “Township Wide Zone II” versus “Township Wide Sourcewater Protection Overlay District.”
- Consider showing the map with Zone I and another color for Zone II and another appendix that shows the Penn State University well radii and headwaters.
- Consider adding “fire-suppression storage tanks” on page 8 under the storage tank list.
- In Section 6, second paragraph, clarify “This evidence must include applicable geographic data with respect to the property and any other pertinent documentation for consideration.”
- In Section 8, under number 1, remove the reference to Section 7.
- In Section 8, under letter A, number 2, consider placing the water supplier review fee in the Township Fee Schedule as an escrow.
- Consider including a definition for “freight or truck terminals.”
- On Page 20, omit letter F as it refers to Section 7.
- Consider including a definition for “qualified professional.”
- On Page 21, number 5 omit the word “either.”

There was a lengthy discussion regarding how the above comments would be relayed to the Board of Supervisors before the Public Hearing scheduled in January 2019. The Planning Commission would like Mr. Stolinas to prepare a memo for the Board’s December 10, 2018 detailing these recommendations. There was concern that the Board of Supervisors would not be able to discuss these recommendations before the Public Hearing. Mr. Keough requested that Mr. Stolinas inquire about whether or not the recommendations could be added to the December 10, 2018 Board agenda for discussion.

A motion was made by Mr. Crassweller and seconded by Mr. Wheland to recommend approval of the draft Sourcewater Protection Ordinance, with the caveat that Mr. Stolinas prepares a memo summarizing the recommendations for the Board of Supervisors to review before the December 10, 2018 Board of Supervisors meeting. The motion carried 5-2.

VI. CONSENT AGENDA

There were no items on the consent agenda.

VII. PLANNING DIRECTOR’S REPORT

Mr. Stolinas reviewed his director’s report which included the following items:

On November 12, 2018, the Planning & Zoning Director and Township Manager met with Mark Mackenzie regarding Tax Parcel #24-003-,007E,0000- at 1000 North Nixon Road previously owned by George Novosel. Also on November 12, 2018, the Planning & Zoning, Community Planner, and Township Manager met with Ron Seybert, Township Engineer regarding the Pine Hall General Master Plan Transportation Impact Study. Lastly, on November 12, 2018, the Planning & Zoning Director, Township Manager, Public Works Director, and Township Engineer met regarding

consistency between Chapter 26, Stormwater Management and the Draft Source Water Protection Overlay Ordinance.

On November 13, 2018, the Planning & Zoning Director and Zoning Administrator met with Deanna Behring and Andrew Warner regarding equestrian uses under 50 acres within the RA and RR Zoning Districts.

On November 14, 2018, the Planning & Zoning Director attended the Penn State Extension Land Use Webinar Series – “Property Law Issues Involving Public Rights, Open Space Access to Private Lands” at the COG Forum. Also on November 14, 2018, the Planning & Zoning Director, Township Manager, and Community Planner attended the Pine Grove Mills Small Area Plan Town Hall meeting at St. Paul’s Lutheran Church.

On November 19, 2018, the Planning & Zoning Director, Township Manager, and Community Planner attended the Affordable Housing Fee-in-Lieu Committee meeting. Also on November 19, 2018, the Planning & Zoning Director and Zoning Administrator attended the monthly Ferguson Township Tree Commission meeting to discuss comments related to the 4th Draft of the Zoning Ordinance and SALDO.

On November 26, 2018, the Planning & Zoning Director, Community Planner, and Township Manager met with Justin Mandel, Aspen Hill Partners, and John Sepp of PennTerra Engineering to discuss the Harner Farm Concept Plan and Preapplication Conference with Planning Commission.

On November 28, 2018, the Planning & Zoning Director attended the CCHLT Strategic Planning Committee meeting with Missy Schoonover, CCHLT Executive Director and Sarah Klinetob Low, CCHLT Board Member.

On November 29, 2018, the Planning & Zoning Director attended the Campus and Community Sustainability Expo at the State College Borough Building and sponsored by the Penn State Sustainable Communities Collaborative.

Upcoming Board of Supervisors Agenda Items (12/3/18):

- Public Hearing on the proposed 2019 Annual Operating Budget
- Continued Discussion and Authorization for Advertisement for Public Hearing on the Draft Source Water Protection Overlay District Ordinance
- Revised Phasing Schedules: Stonebridge, Foxpointe, the Landings, and Turnberry TTD
- Position on Variance Application Request – 3020 Research Dr.

Recent BOS Actions Summary (11/5/18 Regular Meeting):

- Greenbriar demonstration project Special Report
- Proposed Ordinance presentation on banning single use plastic bags
- Source Water Protection Overlay District Ordinance Continued Discussion
- Revised Sidewalk Snow Removal Map
- Foxpointe/Hunter’s Chase PRD Corrective Map
- Presentation of Environmentally Sensitive Areas Map and GIS Introduction
- Request for consideration of a cell tower at Homestead Park

Upcoming Zoning Hearing Board Agenda (12/18/18):

- Variance Application Request – 3020 Research Dr.

VIII. ACTIVE PLANS UPDATE

Ms. Schoch provided the active plans update, which included the following active plans: Harner Farm Concept Plan, King Wealth Strategies Land Development Plan, and Pine Hall Traditional Town Development General Master Plan.

IX. CENTRE REGIONAL PLANNING COMMISSION (CRPC) REPORT

Mr. Thompson stated that CRPC will meet on Thursday, December 6. Items for discussion are the Ferguson Township Sourcewater Protection Ordinance, plan amendments for the Patton Township Grey's Woods plan, and the College Township Sidewalk Master Plan.

X. SOURCEWATER PROTECTION AD HOC COMMITTEE UPDATE

There was no update.

XI. ZONING/SALDO STEERING COMMITTEE UPDATE

Mr. Stolinis stated that staff is meeting with Carolyn Yagle of Environmental Planning and Design (EPD) on December 12 to review comments received on the fourth Zoning and SALDO draft Ordinance. Mr. Stolinis stated that staff hopes to have another draft by the end of the year.

XII. PINE GROVE MILLS—SMALL AREA PLAN

Mr. Stolinis stated that the Township Community Coordinator created a page for the Pine Grove Mills Small Area Plan. The steering committee meetings are detailed on the web site as well as the Town Hall meeting from earlier in November. Staff will meet with Jim May, Director of the Centre Regional Planning Agency, to review text for the plan.

XIII. APPROVAL OF THE REGULAR MEETING MINUTES – NOVEMBER 12, 2018

Mr. Crassweller noted that he left the November 12 meeting before the Planning and Zoning Director's report.

A motion was made by Mr. Thompson and seconded by Mr. McMaster to approve the November 12, 2018 meeting minutes with corrections. The motion carried unanimously.

XIII. ADJOURNMENT

There being no further business for the Planning Commission, the meeting adjourned at 8:08 p.m.

RESPECTFULLY SUBMITTED,


ROB CRASSWELLER, SECRETARY
FOR THE PLANNING COMMISSION

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, JANUARY 28, 2019
6:00 PM**

I. ATTENDANCE

The Planning Commission held its 1st regular meeting of the month on Monday, January 28, 2019 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Lisa Strickland, Chairperson
Bill Keough, Vice Chairperson
Rob Crassweller, absent
Ralph Wheland
Eric Scott
Jeremie Thompson
Jerry Binney
Shannon Holliday, alternate

Staff:

Ray Stolinas, Director of Planning & Zoning
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance were: Marcella Bell, Recording Secretary; Jacqueline Ferrell, PSU Student; Sierra Cornelius, PSU Student; Briana Losco, PSU Student; Elizabeth Barber, PSU Student; and Jacob McAndrew, PSU Student

II. CALL TO ORDER

Ms. Strickland called the meeting to order at 6:05 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. FERGUSON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT AND ZONING ORDINANCES

Mr. Stolinas stated that Environmental Planning & Design (EPD) submitted the fifth draft of the Zoning and Subdivision and Land Development Ordinance (SALDO) documents and staff distributed copies to the Board of Supervisors, Planning Commission, and Tree Commission for further review and comment. Carolyn Yagle is in attendance tonight to review and present the most recent changes to the documents so that Planning Commission members can focus their review on these areas of the ordinances. Additionally, an Open House to discuss both ordinances with property owners and staff is scheduled for February 21, 2019 from 6:00 p.m. - 8:00 p.m. in the Main Meeting Room.

Ms. Yagle stated that the fifth draft was distributed just last week and the biggest change is that the adopted Sourcewater Protection Ordinance has been incorporated into the latest draft. She went on to state that there is an Open House scheduled for the end of February and EPD is working with staff to come up with some exhibits for the meeting. Ms. Yagle stated that before the meeting she received the comment that the red-lined version of the draft ordinances are very small and hard to read. She stated that if anyone would like a clean copy, she has those available.

Ms. Yagle then begin her review of the SALDO. She explained that EPD added a number of items that once lived in the Zoning Ordinance. The design standards that were in the Zoning Ordinance are now placed in the SALDO. In addition, parking standards have been moved from the Zoning Ordinance to the SALDO. This change will give the Board of Supervisors and possibly the Planning Commission the ability to review parking in more detail related to site-specific development. Modifications from parking requirements would come out of the SALDO and would go in front of the Board of Supervisors to review instead of the Zoning Hearing Board. Ms. Yagle

stated that there were minor updates to the Official Map Ordinance, which included reference updates. The SALDO process was cleaned up to include references to the PA Municipalities Planning Code (MPC). Ms. Yagle explained that regarding agriculture-related activities, the land development submission requirements were greatly scaled back from what is in place now. She went on to state that model bicycle parking provisions were included in the parking provisions in the SALDO. Ms. Yagle noted that she worked with staff to solidify the definition of dwelling and dwelling unit so that it cannot be left open to interpretation.

In response to a question from Mr. Keough, Mr. Stolinas explained that the calculation for parking in relation to a land development plan has been changed to use the net floor square footage instead of the gross floor square footage, which will reduce the amount of parking required for a land development plan. Staff is hoping that this new calculation will reduce the amount of variance requests (modification requests in the SALDO as proposed). He went on to state that staff felt the parking requirements belonged in the SALDO and would give the Planning Commission a chance to review a parking modification if the Board of Supervisors so wished. Mr. Keough requested that staff compare the old parking calculation to the new parking calculation to see if there is a significant difference in the number of parking spaces required. He stated that staff may need to revisit the parking calculations if there is not a significant difference between gross floor and net floor.

Ms. Yagle added that she and staff received several comments from the Tree Commission regarding green parking and how to reduce stormwater run-off in parking lots. The Tree Commission wished to see more landscaping within parking lots to help mitigate stormwater run-off. In response to a question from Mr. Wheland, Ms. Yagle stated that the changes suggested by the Tree Commission were mostly related to specific development and parking regulations in relation to landscaping.

In response to a question from Mr. Ressler, Ms. Yagle stated that minor alteration plan were moved over from Zoning to the SALDO. She explained that the Township would have the ability to review the proposed minor subdivision, the Planning Commission would then review it, and finally the Board of Supervisors would review it. Requirements for a minor subdivision are also detailed in the same section.

There was a lengthy discussion regarding the requirements for dedication of park land to the Township from a development and park land fee-in-lieu. Ms. Strickland referred to page 61, Public Use and Service Areas, Public Spaces, Parks Open Spaces, and Recreation Facilities. She referred to the four acre or more requirement for park land dedication to the Township so that the Centre Region Parks and Recreation department manages the park. On page 61 and 63, both sections refer to a four acre minimum, but the wording is not consistent. Ms. Strickland asked that staff make the wording consistent so that it is clear that there is a four-acre minimum requirement. It also needs to be clear that if the park land is under four acres, it can still be considered park land, it just wouldn't be dedicated to the Township as park land. Mr. Ressler stated that he believes if the park land is under four acres, it would not be counted as required park land and open space for the development. In response to a question from Mr. Keough, Mr. Ressler stated that a developer would still have to pay a fee-in lieu for four acres of park land, even though the developer built a two acre park. Mr. Keough felt that if a developer builds a three-acre park, they should only have to a fee-in-lieu for one acre. Mr. Ressler stated that the park land fee-in-lieu is tied to the number of dwellings, multiplied by 2.54 persons per dwelling, multiplied by the parkland fee per person (found in the Townships' schedule of fees).

Ms. Yagle then began her review of the draft Zoning Ordinance. She referred to the Zoning Map presented on the projector and reviewed the changes that were made. There were a few parcels near the Harner Farm parcel that were changed from Rural Agriculture (RA) to Single-Family Residential-1 (R1) and General Commercial (C) due to the recent zoning change.

There was a lengthy discussion regarding a property known as the Oscar DeArmit Drilling property out in the western end of the Township near Route 45. Mr. Keough stated that parcel is designated as RA, however, there won't be any agriculture activities on the property. Mr. Keough wondered under the Zoning Ordinance regulations, whether or not this particular parcel would remain non-conforming. Ms. Yagle explained that the ordinance does not have an office or industrial type of use for the RA district, so it would remain non-conforming. Ms. Yagle stated that there have been a number of uses added to the RA district, which makes it possible that the parcel could become conforming. Mr. Keough believes that the parcel should be considered a commercial or industrial zone. Mr. Stolinas explained that if that particular parcel were rezoned to something other than RA, it would be considered spot-zoning. Ms. Yagle agreed and stated that if the zone were to be changed, it should be an extension of the zones already in existence around it, or multiple parcels around that property should be rezoned to a commercial or industrial zone. Mr. Stolinas stated that staff will look at it further before the Planning Commission reviews the ordinances again.

Mr. Stolinas added that within the Zoning Map, staff consolidated the Office Commercial (OC) zone with General Commercial (C) on the northern part of the Township.

There was a detailed discussion regarding principal and accessory uses and how those uses are approved administratively versus by the Board of Supervisors or the Zoning Hearing Board. Principal and accessory uses that are permitted by right are granted permission via a permit, issued by the Planning & Zoning department. Principal and accessory uses that are conditional uses must be approved by the Board of Supervisors. Principal and accessory uses that are special exceptions must be approved by the Zoning Hearing Board. Both a conditional use and a special exception use must have a Public Hearing in front of the respective bodies. Ms. Yagle stated that she will be working with staff to compile a diagram of all of the different types of uses and how they are approved for the Open House in February.

The discussion then centered around the RA district. In response to a question from Mr. Wheland regarding the minimum lot size for RA parcels, Ms. Yagle explained that if someone has a 50-acre parcel in the RA district, there are uses that are permitted by right. If someone wants to have a landscaping company on their property, it would be considered a conditional use if the parcel is 5 acres up to 49 acres. Mr. Wheland was concerned that someone would be able to subdivide a large parcel into smaller parcels less than 50 acres, and it was not the intent of the Ag Ad Hoc Committee to allow that. The Ag Ad Hoc committee wanted to see these types of uses on existing parcels under 50 acres. Mr. Wheland explained that when the Ag Ad Hoc Committee was discussing minimum lot sizes, they found that there were many parcels under 50 acres that don't conform to the Township's requirement of 50 acres for agriculture-related uses in the RA district. It was the Ag Ad Hoc Committee's thought that property owners should be able to use their smaller parcels for agriculture activities, however, the Committee did not want property owners to be able to create parcels smaller than 50 acres to utilize these uses. He went on to explain that the ordinance is not very clear on whether a property owner can subdivide their RA property into parcels smaller than 50 acres.

The Planning Commission took an intermission from 8:03 to 8:13 PM.

The Planning Commission then discussed the Rural Residential (RR) District. Mr. Wheland stated that there should be no minimum lot size for agriculture related activities in the Rural Residential (RR) because there is a provision in the ordinance to follow the Animal Equivalency Unit (AEU). Meaning, a property owner could not put a commercial hog farm on 10 acres in the RR district. Ms. Yagle stated that the ordinance could have criteria that the uses are permissible on an acreage that is smaller than the minimum lot size, so long as there was not subdivision proposed. There was a lengthy discussion about the minimum lot size required in the RR district. There was a consensus from the Planning Commission to set the minimum lot size of the RR district for a single-family dwelling unit as no less than 2 acres with no maximum acreage. There was a lengthy discussion regarding the lot size for accessory uses in the RR. The Planning Commission will discuss this further at a future meeting.

There was a brief discussion regarding commercial hunting preserve use. Currently, it is proposed to be permitted by right as a principal and accessory use in the RA and RR district. Ms. Strickland felt that it should be a conditional use for both the principal and accessory tables in the RR, specifically related to the size of the parcel that this use would be on. Ms. Strickland requested that staff and EPD develop a definition for this use. The Planning Commission will discuss this further at a future meeting.

The Commission then discussed the Agriculture Research (AR) District. There was a lengthy discussion regarding the agriculture buildings on Penn State's research land. Mr. Keough stated that he wished that clubs like 4-H could utilize the buildings on Penn State's parcels and wondered what the Township could do in terms of Zoning to allow this to happen. Mr. Ressler stated that there is nothing that prohibits clubs like that from utilizing educational buildings on Penn State's land, however, it seems that there might be a liability issue from Penn State.

The Planning Commission will continue its discussion on the draft Zoning Ordinance at its next meeting in February.

V. CONSENT AGENDA

There were no items on the consent agenda.

VI. PLANNING DIRECTOR'S REPORT

Mr. Stolinas reviewed his director's report which included the following items:

On December 11, 2018 and January 9, 2019, the Planning & Zoning staff participated in a meeting with the Township Manager and Public Works Department to discuss the proposed Public Works Building #5 Land Development Plan. Also on December 11, 2018, the Planning & Zoning Director, Community Planner, and Township Manager met with Ron Seybert, Township Engineer regarding the Pine Hall General Master Plan and Transportation Impact Study.

On December 12 and 20, 2018 and January 9, 2019, the Planning & Zoning staff met with Carolyn Yagle of EPD to discuss Tree Commission and Arborist comments on the proposed Zoning and SALDO revisions. Also on December 12, 2018 and January 9, 2019, the Planning & Zoning Director attended the CCHLT Board of Director's meeting at the College Township Building.

On December 19, 2018, the Planning & Zoning Director, Community Planner, and Township Manager attended the Penn State West Campus Parking Deck with State College Borough Planning and Public Works staff. Also on December 19, 2018, the Planning & Zoning Director, Zoning Administrator, and

Township Manager met with representatives of the Pine Grove Mills Farmer's Market to review their end of the year progress report.

On December 20, 2018, the Planning & Zoning Director and Community Planner met with Jim May, CRPA Executive Director, and discussed text and meeting materials for the Pine Grove Mills Small Area Plan.

On January 10, 2019, the Planning & Zoning Director, Township Arborist, and Zoning Administrator met with John Sepp, PennTerra Engineering regarding landscape buffers at the proposed Science Park Plaza. Also on January 10, 2019, the Planning & Zoning Director, Township Manager, Chief of Police, and Township Engineer met with representatives of Rushcliffe St. HOA and Paradigm Properties regarding parking configuration on Rushcliffe St.

On January 11, 2019, the Planning & Zoning Director, Community Planner, and Township Manager met with Tom Zilla, Regional Transportation Planner, Mike Bloom, Deputy County Planning Director, and Leslie Warriner, County Transportation Planner regarding a future Municipal MPO Workshop with Ferguson Township staff and officials.

On January 14, 2019, the Planning & Zoning Director and Township Manager met with Jessica Buckland, Raptor Martial Arts and Lynda Mussi, regarding a Zoning Variance decision for 3020 Research Drive.

On January 15, 2019, the Planning & Zoning Director and Township Manager met with Ron Rehmeyer regarding permitted uses for property within the Office Commercial and General Commercial Zoning Districts.

On January 16, 2019, the Community Planner attended the Centre Regional Planning Agency bi-monthly staff meeting. Also on January 16, 2019, the Planning & Zoning Director and Community Planner attended the PSU Land Use webinar at the CRPA Offices titled "Zoning Ethics".

On January 17 and 18, 2019, the Planning & Zoning Director, Chief of Police, and HR Director conducted interviews for the Ordinance Enforcement Officer position. Also on January 17, 2019, the Planning & Zoning Director, Community Planner, and Township Manager met with Daniel Tavis Mehan, Geodesign Program Manager, College of Arts & Architecture on a potential student workshop.

On January 18, 2019, the Planning & Zoning Director, Zoning Administrator, and Township Manager met with Tom Jacobs and Matt Halloran, S&A Homes regarding future phases of the Landings PRD.

On January 23, 2019, the Planning & Zoning Director, Zoning Administrator, Community Planner, Township Engineer, and Township Manager met with Pam Salokangus and representatives of Stahl Shaffer Engineering on the proposed Whitehall Road Regional Park Phase I Land Development Plan Pre-Application. Also on January 23, 2019, the Planning & Zoning Director and Township Manager met with Penn State representatives Charima Young, Andrew Gutberlet, and Neil Sullivan regarding Penn State University comments related to the Source Water Protection Overlay District. In addition, on January 23, 2019, the Planning & Zoning Director, Township Manager, Community Planner, and CCHLT Executive Director met and discussed the Pine Hall Workforce Housing Agreement Fee-in-Lieu consideration.

On January 24, 2019, the Planning & Zoning Director and Community Planner met with the Township Communication Coordinator and Assistant to the Manager to discuss public notices for the Zoning and SALDO Open House.

On January 25, 2018, the Planning & Zoning Director attended the CCHLT Strategic Planning Committee meeting with Missy Schoonover, CCHLT Executive Director and Sarah Klinetob Low, CCHLT Board Member.

Recent BOS Actions Summary (1/21/19 Regular Meeting):

- Report from Kevin Abbey, Clearwater Conservancy, introducing the Scotia Young Forest Conservation Initiative
- Public Hearing on the Source Water Protection Overlay District Ordinance (Adopted 4-0)
- Presentation of the Harner Farm Concept Plan
- Appointment to the Ferguson Township Vacancy Board
- National Citizens Survey Contract Authorization
- Beaver Branch Gorge Discussion
- PA Cap and Trade Petition
- 2019 Donation Requests Discussion

Upcoming Zoning Hearing Board Agenda (12/18/18):

- Variance Application Request – SCWA Nixon-Kocher Water Treatment Facility

VII. ACTIVE PLANS UPDATE

Ms. Schoch provided the active plans update, which included the following active plans: Harner Farm Concept Plan, King Wealth Strategies Land Development Plan, and Pine Hall Traditional Town Development General Master Plan.

VIII. CENTRE REGIONAL PLANNING COMMISSION (CRPC) REPORT

Mr. Thompson stated that at the December meeting, the Centre Regional Planning Agency (CRPC) received a presentation from Dave Pribulka and Jeff Ressler regarding the proposed Sourcewater Protection Overlay District Ordinance. The CRPC gave comments, which were forwarded onto the Board of Supervisors, who adopted the ordinance at a Public Hearing on January 21, 2019. The next CRPC meeting will be February 7, 2019.

IX. SOURCEWATER PROTECTION UPDATE

Mr. Stolinas stated that as Mr. Thompson mentioned, the Board of Supervisors adopted the Sourcewater Protection Overlay District Ordinance on January 21, 2019. The Ordinance goes into effect 30 days from the date of adoption.

X. ZONING/SALDO STEERING COMMITTEE UPDATE

There was no update.

XII. PINE GROVE MILLS—SMALL AREA PLAN

Ms. Strickland stated that the steering committee met and had a brainstorming session to narrow down goals and objectives. Mr. Stolinas added that Mr. Jim May, the CRPA Director is working on the Small Area Plan and will present what sections of it to the Board of Supervisors and the Planning Commission in March.

XIII. APPROVAL OF THE REGULAR MEETING MINUTES – DECEMBER 4, 2018

A motion was made by Mr. Wheland and seconded by Mr. Keough to approve the December 4, 2018 meeting minutes as presented. The motion carried 5-0.

XIII. ADJOURNMENT

There being no further business for the Planning Commission, the meeting adjourned at 9:05 p.m.

RESPECTFULLY SUBMITTED,


ROB CRASSWELLER, SECRETARY
FOR THE PLANNING COMMISSION

**FERGUSON TOWNSHIP PLANNING COMMISSION
ORGANIZATIONAL MEETING MINUTES
MONDAY, JANUARY 28, 2019
6:00 PM**

I. ATTENDANCE

The Planning Commission held its organizational meeting on Monday, January 28, 2019 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Lisa Strickland, Chairperson
Bill Keough, Vice-Chairperson
Rob Crassweller, Secretary, absent
Erik Scott
Ralph Wheland
Jeremie Thompson
Jerry Binney
Shannon Holliday, Alternate

Staff:

Ray Stolinas, Planning & Zoning Director
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Officer

Others in attendance included: Marcella Bell, Recording Secretary; Jacqueline Ferrell, PSU Student; Sierra Conelius, PSU Student; Briana Losco, PSU Student; Elizabeth Barber, PSU Student; and Jacob McAndrew, PSU Student

II. CALL TO ORDER

Ms. Strickland called the Monday, January 28, 2019 Ferguson Township Planning Commission Organizational meeting to order at 6:00 pm.

III. WELCOME AND INTRODUCTION OF NEW MEMBERS

On January 7, 2019, the Board of Supervisors appointed Jerry Binney as a core member of the Planning Commission.

IV. ELECTION OF OFFICERS

Mr. Stolinas requested nominations for 2019 Chairperson. A motion was made by Mr. Wheland and seconded by Mr. Thompson to retain Ms. Strickland as Chairperson, Mr. Keough as Vice-Chairperson, and Mr. Crassweller as secretary for 2019. The motion carried 6-0.

V. ESTABLISH MEETING DATES

Ms. Strickland discussed the meeting dates for 2019. Mr. Stolinas stated the May 28 meeting will be held on a Tuesday due to observance of Memorial Day on Monday, May 27. Only one meeting has been tentatively scheduled in November due to the Thanksgiving holiday and hunting season. The December meeting date is tentatively scheduled for the first Tuesday of the month (December 3) because the Board of Supervisors generally schedule its last meetings of the year for the first and second Monday (December 2 & 9).

A motion was made by Mr. Keough and seconded by Mr. Wheland to approve the 2019 Planning Commission meeting dates as presented. The motion carried 6-0.

VI. SELECTION OF THE CENTRE REGIONAL PLANNING COMMISSION (CRPC) REPRESENTATIVE AND ALTERNATE

A motion was made by Mr. Keough and seconded by Mr. Scott to nominate Jeremie Thompson as the representative for the CRPC and to nominate Mr. Wheland as the CRPC alternate. The motion carried 6-0.

VII. ADJOURNMENT

There being no further business for the Planning Commission during the Organizational meeting, the meeting adjourned at 6:05 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Rob Crasweller", written over a horizontal line.

Rob Crasweller, Secretary
For the Planning Commission



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801

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Public Works Director's Report to the Board of Supervisors for the regular meeting on February 19, 2019

- 1. Transportation Mobility Study** – This study led by McCormick Taylor focuses on identifying improvements for walking, biking, driving, and using transit in the areas of N. Atherton St., Martin St., Blue Course Dr., Cherry Ln., Clinton Ave., and Aaron Dr. The study group continues to meet and review suggested improvement projects including improved intersection lighting, bikepath connectivity, transit stop improvements, and pedestrian crossing improvements. [The second public open house and plans display for this project is planned for 5pm to 6:30pm on Monday, March 11, 2019 at the Township Building. A presentation to the Board of Supervisors is planned for a regular meeting in April.](#)
- 2. LEED Gold Public Works Building** – The site plan for this project was presented to the Planning Commission on February 11, 2019. The plan should come before the Board of Supervisors in March. The architect team is finalizing the building plans and a building permit application should be submitted in the next couple weeks. Once the checks are cut, the NPDES and E&S permit applications will be submitted to the County and PaDEP for review and approval. Staff is finalizing draft policies related to green cleaning, sustainable purchasing, and solid waste management for adoption by the Board of Supervisors as part of the LEED certification process. This project should be advertised in June for a bid opening on July 30, 2019.
- 3. Stormwater Fee Feasibility Study** – The Township entered into a contract with Wood to complete phase 2 of this study. A kickoff meeting was held on February 11, 2019. [Once a project schedule is established after consultation with the Manager, staff will reach out to past stormwater advisory committee members and some potential new members to confirm their interest in continuing to serve on this committee.](#)
- 4. Arborist and Ferguson Township Tree Commission** – [The FTTC meets on February 25, 2019.](#) Tree trimming by the Township's contractor Bartlett Tree Experts is near complete. Tree planting by Greene Landscaping will start in April. The arborist has been involved in providing information to the Ferguson Township Park and Recreation Committee regarding suggestions for plantings in Songbird Sanctuary and Haymarket Park.
- 5. Maintenance Section:** Maintenance work is weather dependent and includes winter storm fighting operations, vehicle maintenance, building maintenance, work orders.
- 6. Engineering Section:** Engineer staff continues work on the design of 2019 road capital projects with support from GIS staff. A partial project list is provided below.

7. **Contract 2017-C1 Kansa Avenue:** An open house was held on January 21, 2109. [The project is currently out to bid for an opening on Tuesday, February 26, 2019.](#)
8. **Contract 2018-C5 Chestnut Ridge Pipe Lining:** This contract work is currently being performed.
9. **Contract 2018-C20 Park Hills Drainageway Design:** This project team led by NTM is designing “naturalistic” improvements to this eroded drainageway being sensitive to the mature tree canopy, nearby residents, DEP requirements for working in a “stream”, and utility and right of way concerns. Design work will proceed through 2019 and generate more accurate estimates of projected construction costs.
10. **Contract 2019-C1 Street Improvement Projects (North):** This project is in design and includes paving and improvements to Appletree Circle, Avebury Circle, Dogwood Circle, Park Lane, and Princeton Drive.
11. **Contract 2019-C2 Street Improvement Projects (West):** This project is in design and includes paving and improvements to West Blade (turn around), Brooklawn Drive, Goddard Circle, and Timothy Lane.
12. **Contract 2019-C3 Tadpole Road Base Repair (mill and fill):** This includes contract milling and paving to repair the roadway from Marengo Road to Gatesburg Road.
13. **Additional projects to be bid this year include:** curb and ramp upgrades, fuel contract, asphalt and aggregate, signs, pavement markings, microsurfacing, sealcoating, sidewalk repairs, traffic signal improvements and LED replacements, and MS4 Chesapeake Bay PRP improvements.



FERGUSON TOWNSHIP POLICE DEPARTMENT

January 2019 Calls for Service

Part I Crimes Summary	Previous Month Jan. 2018	Current Month Jan. 2019	Previous YTD Jan. 2018	Current YTD Jan. 2019
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	1	0	1	0
Assault	0	2	0	2
Burglary	0	1	0	1
Theft	7	6	7	6
Auto Theft	0	0	0	0
Arson	0	0	0	0
Total	8	9	8	9

Part II Crimes Summary	Previous Month Jan. 2018	Current Month Jan. 2019	Previous YTD Jan. 2018	Current YTD Jan. 2019
Forgery	0	0	0	0
Fraud	2	7	2	7
Embezzlement	0	0	0	0
Receiving Stolen Property	0	0	0	0
Criminal Mischief	2	4	2	4
Weapons Violation	1	0	1	0
Prostitution and Commercialized Vice	0	0	0	0
Sex Offense	2	0	2	0
Drug Violation	1	1	1	1
Offenses Against Family	0	0	0	0
DUI	1	1	1	1
Liquor Laws (minors law, furnishing, false ID)	0	2	0	2
Public Intoxication	4	3	4	3
Disorderly Conduct	22	19	22	19
All Other Criminal	1	4	1	4
Total	36	41	36	41

Total Crimes	Previous Month Jan. 2018	Current Month Jan. 2019	Previous YTD Jan. 2018	Current YTD Jan. 2019
Part I Crimes	8	9	8	9
Part II Crimes	36	41	36	41
Total	44	50	44	50



FERGUSON TOWNSHIP POLICE DEPARTMENT

January 2019 Calls for Service

Other Calls for Service	Previous Month Jan. 2018	Current Month Jan. 2019	Previous YTD Jan. 2018	Current YTD Jan. 2019
Vehicle Code - Crashes	21	26	21	26
Vehicle Code - Other Traffic Incidents	57	41	57	41
Health and Safety – EMS Assist	72	56	72	56
Health and Safety – Fire Assist	10	7	10	7
Other Health and Safety Incidents	33	16	33	16
Alarms	31	9	31	9
Suspicious Activity	28	31	28	31
Unsecure Property	0	0	0	0
Found Property	2	4	2	4
Lost Property	2	4	2	4
Community Relations/ Crime Prevention	4	9	4	9
Car Seat Check	1	0	1	0
School Check	22	17	22	17
Township Ordinances	4	15	4	15
Request for Assistance – Attempt to locate	0	5	0	5
Request for Assistance – Can-Help	1	2	1	2
Request for Assistance – Civil Matter	6	13	6	13
Request for Assistance - Other	55	33	55	33
Missing Persons/ Runaways	0	3	0	3
Animal Complaints	15	7	15	7
Department Information	10	3	10	3
Assist Other Agencies	14	11	14	11
Total	388	312	388	312

Total Calls for Service	Previous Month Jan. 2018	Current Month Jan. 2019	Previous YTD Jan. 2018	Current YTD Jan. 2019
Part I Crimes	8	9	8	9
Part II Crimes	36	41	36	41
Other Calls for Service	388	312	388	312
Total	432	362	432	362



FERGUSON TOWNSHIP POLICE DEPARTMENT

January 2019

	2018	2019	Previous YTD	Current YTD	Notes:
Traffic Citations	83	45	83	45	
Parking Tickets	69	94	69	94	
Traffic Stops	160	116	160	116	
Criminal Arrests	10	20	10	20	
Supplements	196	198	196	198	
Hearings	29	15	29	15	
Med Return	22.17	18.90	22.17	18.90	

Note:

- *Traffic Stops may not include pre scheduled selective enforcement details where two or more police vehicles are assigned for specific enforcement purposes (such as Aggressive Driving Grant details).*
- *Criminal Arrests are the number of people arrested, not the number of charges, counts or cases cleared. These include arrests made at the time of the incident as well as those filed after an extended investigation.*

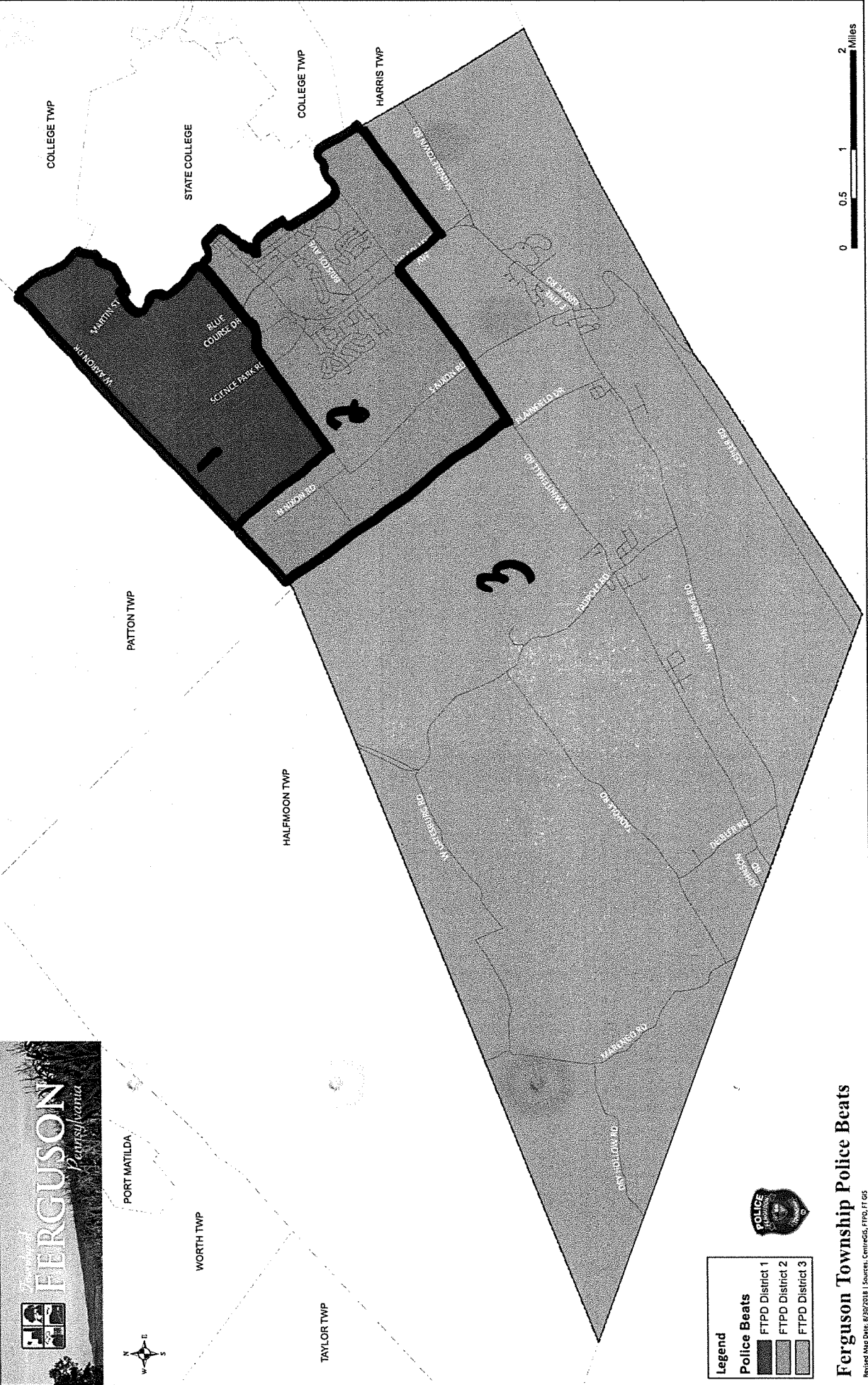
Department Notes:

- Three individuals, a 48-year-old female, 47-year-old male and a 45-year-old female, were arrested for fraud involving a check cashing scheme.
- A 28-year-old male was arrested for Invasion of Privacy. He placed covert cameras throughout the apartment, including bathroom and bedroom, to secretly recorded his roommates.
- A 21-year-old male was arrested for Terroristic Threats and Simple Assault after threatening and assaulting his girlfriend.
- Detectives are investigating an employee theft at a local veterinary clinic. The amount exceeds \$30,000.

- Detectives are investigating a church burglary. Suspect(s) stole electronic equipment with a value of approximately \$5,000.
- Cpl. Jeff White, Officer Dan Lewis, Officer Skyler Ososkie, Cpl. Brian Rose, Officer Kevin Laudenslager and Officer Lauren Neely assisted State College Police with the shooting events at PJ Harrington and Tussey Lane.
- New Records Management System up and running. We are learning the system and its capabilities. The new system downloads basic crime information to www.communitycrimemap.com. Not all events are reported to the mapping system. In highly sensitive incidents, victim safety and privacy is paramount. A link will be created on our web page.

Community Relations:

- Officers continue to conduct Run Hide Fight training at various schools.
- Conducted a station tour.
- The Ferguson Township Elementary School Crossing Guard has been unavailable for several weeks, so officers have been performing the crossing guard duties.



Legend

Police Beats	
	FTP District 1
	FTP District 2
	FTP District 3



Ferguson Township Police Beats

Revised Map Date: 8/29/2018 | Source: Centreda, FTPO, FTGS
V:\GIS_Data\Police\Bna\VP_Districts.mxd

Record List - Total:348

Contact or caller	Nature	Area	Reported	Incident
911CALLDISCNCT (1)				
911 HANG UP CALL	911CALLDISCNCT	FT2M1	03:55:15 01/12/19	19FT00109
911NOVOICE (1)				
911 No voice for elevator	911NOVOICE	FT3J1	15:01:13 01/28/19	19FT00399
ABANDVEHICL (3)				
abandoned vehicle	ABANDVEHICL	FT1B5	19:42:20 01/23/19	19FT00325
ABANDONED VEHICLE	ABANDVEHICL	FT2H1	12:26:10 01/09/19	19FT00072
UNAUTHORIZED VEHICLE ON PRIVATE PROPERTY	ABANDVEHICL	FT1A1	08:48:04 01/08/19	19FT00060
ACCSDEVFRD (1)				
Fraudulent food orders	ACCSDEVFRD	FT1C1	20:34:24 01/26/19	19FT00375
ALARM BURGLAR (8)				
Burglar Alarm	ALARM BURGLAR	FT3J2	21:37:45 01/28/19	19FT00408
BURGLAR ALARM - OPEN DOOR	ALARM BURGLAR	FT1B1	20:14:11 01/28/19	19FT00407
Commercial Burglar alarm	ALARM BURGLAR	FT1B1	18:25:25 01/27/19	19FT00390
Burglar alarm. Heavy wind gusts	ALARM BURGLAR	FT1B1	13:37:24 01/24/19	19FT00338
Commercial Alarm	ALARM BURGLAR	FT1B1	20:08:49 01/23/19	19FT00327
Commercial Burglar	ALARM BURGLAR	FT3K1	23:44:46 01/22/19	19FT00305
burglar alarm	ALARM BURGLAR	FT1E1	18:31:27 01/18/19	19FT00222
Commercial Burglar Alarm	ALARM BURGLAR	FT2E1	22:47:00 01/08/19	19FT00068
ALARMCAR/VEHICL (1)				
Car Alarm	ALARMCAR/VEHICL	FT1C1	00:18:36 01/22/19	19FT00279
ALCOHOL (5)				
Intoxicated male standing in roadway	ALCOHOL	FT2H1	03:22:15 01/18/19	19FT00209
Intoxicated male stumbling on sidewalk	ALCOHOL	FT2G1	02:49:27 01/18/19	19FT00208
Intoxicated Male in Public	ALCOHOL	FT2G1	02:36:50 01/18/19	19FT00207
64 YOM PUBLIC DRUNKENNESS	ALCOHOL	FT2G1	00:05:00 01/13/19	19FT00124
38 yom acting strange, he was arrested for DUI	ALCOHOL	FT1B1	11:29:42 01/01/19	19FT00008
ALCOHOLMINORSLW (2)				
20 YOF ALCOHOL OVERDOSE	ALCOHOLMINORSLW	FT1A1	00:51:45 01/12/19	19FT00107
19 YOF MINORS LAW	ALCOHOLMINORSLW	FT1B1	00:47:00 01/12/19	19FT00104
ANIMAL (7)				
Found Dog - Returned to owner	ANIMAL	FT2H1	14:22:55 01/20/19	19FT00261
Dog at large, unable to locate	ANIMAL	FT1C1	15:48:38 01/18/19	19FT00217
6 month old Siberian Husky found at large.	ANIMAL	FT1F2	12:20:50 01/12/19	19FT00112
INJURED DEER IN THE ROADWAY	ANIMAL	FT1F1	06:18:27 01/11/19	19FT00091
dog barking in apartment	ANIMAL	FT1F2	20:20:00 01/08/19	19FT00067
Concerns about whether or not a dog was being properly cared for.	ANIMAL	FT1F2	16:29:01 01/07/19	19FT00054
Caller thought dog was being abused when it wasn't	ANIMAL	FT1B1	20:13:00 01/05/19	19FT00038
ASSAULTEARLIER (1)				
Argument between boyfriend / girlfriend	ASSAULTEARLIER		22:30:36 01/12/19	19FT00122
BURGLARY (1)				
Burglary, forced entry, musical equipment stolen	BURGLARY	FT3T1	01:18:26 01/20/19	19FT00257
COMMRELATIONS (9)				
Intruder-Run/Hide/Fight drill conducted for all employees	COMMRELATIONS	FT2H1	13:41:11 01/31/19	19FT00457
Intruder drill at Elementary School	COMMRELATIONS	FT3J1	09:10:03 01/30/19	19FT00430
Drug Collection Box	COMMRELATIONS	FT2H1	07:44:11 01/23/19	19FT00309
Station Tour	COMMRELATIONS	FT2H1	20:57:32 01/22/19	19FT00302
ride along	COMMRELATIONS	FT2H1	19:43:58 01/22/19	19FT00298
Active Shooter drill at School	COMMRELATIONS	FT2G1	12:15:15 01/16/19	19FT00165
RIDE ALONG	COMMRELATIONS	FT2H1	15:52:33 01/11/19	19FT00099
CIT PRESENTATION	COMMRELATIONS	UUP01	16:00:00 01/10/19	19FT00078
Active shooter drill at CLC	COMMRELATIONS	FT2H1	10:45:00 01/09/19	19FT00071
CRIMMISCHIEF (3)				

victims car was damaged while parked	CRIMMISCHIEF	FT1B4	16:36:56 01/17/19	19FT00201
Damaged mailbox	CRIMMISCHIEF	FT1C1	13:11:28 01/16/19	19FT00168
VEHICLE KEYED	CRIMMISCHIEF	FT2E1	09:42:55 01/03/19	19FT00023
DEPTINFO (3)				
Caller requesting checks of Bank this coming week.	DEPTINFO	FT1B1	12:58:56 01/27/19	19FT00387
Therapist has concerns she wanted to share with PD	DEPTINFO	FT2G1	12:03:16 01/25/19	19FT00360
drug tip/ smell of marijuana at residence	DEPTINFO	FT1B1	10:53:18 01/21/19	19FT00270
DISORDERLYCOND (16)				
Complaint of loud music	DISORDERLYCOND	FT1F2	20:14:47 01/30/19	19FT00446
Loud party	DISORDERLYCOND	FT1B4	00:10:12 01/27/19	19FT00380
Father/Son verbal argument	DISORDERLYCOND	FT2G1	04:14:56 01/22/19	19FT00280
D/C Loud Music	DISORDERLYCOND	FT1B2	23:43:10 01/21/19	19FT00277
D/C - Loud Music	DISORDERLYCOND		23:52:42 01/20/19	19FT00266
D/C Loud Voices	DISORDERLYCOND	FT1F2	23:38:29 01/20/19	19FT00265
Male pulled fire alarm	DISORDERLYCOND	FT1B2	23:20:54 01/20/19	19FT00264
DC Noise	DISORDERLYCOND		00:19:32 01/20/19	19FT00255
Caller heard loud yelling from inside apartment	DISORDERLYCOND	FT1A1	12:28:04 01/19/19	19FT00234
D/C Loud Party	DISORDERLYCOND	FT1A1	01:07:57 01/19/19	19FT00228
LARGE PARTY	DISORDERLYCOND	FT1A1	02:15:54 01/12/19	19FT00105
LOUD VOICES	DISORDERLYCOND	FT1A1	23:45:21 01/11/19	19FT00103
Loud voices	DISORDERLYCOND	FT1F2	23:15:00 01/10/19	19FT00086
Loud argument between employee / employer	DISORDERLYCOND	FT2H1	12:23:00 01/08/19	19FT00063
VERBAL ARGUMENT BETWEEN ROOMMATES	DISORDERLYCOND	FT1C1	23:07:00 01/07/19	19FT00057
Fireworks, unable to locate	DISORDERLYCOND	FT1D1	00:39:00 01/01/19	19FT00002
DOMESTICDISPUTE (4)				
Male / female argument about money	DOMESTICDISPUTE	FT2G1	01:49:00 01/11/19	19FT00088
VERBAL DOMESTIC	DOMESTICDISPUTE	FT1A1	02:46:09 01/06/19	19FT00041
15 yom arguing with parents	DOMESTICDISPUTE	FT2G1	21:51:00 01/03/19	19FT00027
CALLERS EX OUTSIDE KNOCKING ON DOOR	DOMESTICDISPUTE	FT1A1	06:14:17 01/03/19	19FT00018
DRUGLAW (1)				
	DRUGLAW	FT1B1	23:00:00 01/09/19	19FT00081
FRAUD (5)				
Caller's credit card was used in CA.	FRAUD	FT1B1	13:02:49 01/29/19	19FT00417
fraudulent charge on debit card	FRAUD	FT3J1	16:27:35 01/23/19	19FT00320
Fraud, SCAM	FRAUD	FT1F2	12:18:21 01/23/19	19FT00313
Female reported fraudulent credit card use	FRAUD	FT1B1	22:12:29 01/18/19	19FT00223
Female needed ride downtown	FRAUD	FT2H1	07:58:24 01/16/19	19FT00159
HARASSMENT (3)				
Argument in wechat about video game	HARASSMENT	FT1F2	16:24:23 01/27/19	19FT00389
Comp. is receiving unwanted emails.	HARASSMENT	FT1B2	23:46:47 01/25/19	19FT00363
CALLER BEING HARRASSED BY GIRLFRIENDS EX	HARASSMENT	FT1D1	19:01:46 01/12/19	19FT00118
HLTHSFTY (15)				
Comp. reported elderly person walking in the cold, GOA	HLTHSFTY	FT2G1	07:12:08 01/31/19	19FT00453
Person walking in the roadway	HLTHSFTY	FT1B1	23:39:00 01/30/19	19FT00450
84 yof - Dementia Incident	HLTHSFTY	FT1A1	22:32:35 01/29/19	19FT00427
Check on male on bus - cancelled	HLTHSFTY	FT2H1	13:43:13 01/29/19	19FT00418
Check on the welfare of woman	HLTHSFTY	FT1B3	18:36:38 01/24/19	19FT00345
Tree on power lines, West Penn notified	HLTHSFTY	FT3J1	21:28:03 01/23/19	19FT00329
Assist with 302 warrant	HLTHSFTY	FT2G1	20:55:57 01/22/19	19FT00301
Complaint about snow at bus stops	HLTHSFTY	FT1A1	19:48:53 01/22/19	19FT00299
Automated crash alert malfunction	HLTHSFTY	FT2H1	04:49:25 01/19/19	19FT00230
Caller did not recognize her husband	HLTHSFTY	FT1A1	16:42:11 01/18/19	19FT00219
ID PATIENT THROWING TANTRUM	HLTHSFTY	FT1A1	22:53:00 01/10/19	19FT00089
48 YOF UPSET ABOUT MOTHER	HLTHSFTY	FT1C1	20:53:00 01/10/19	19FT00084
47 yof, suicide	HLTHSFTY	FT2G1	09:17:01 01/06/19	19FT00044
Woman feeling suicidal	HLTHSFTY	FT1A1	22:17:00 01/05/19	19FT00039
Child neglect, intoxicated woman left 9 year old home alone	HLTHSFTY	FT1E1	08:08:34 01/01/19	19FT00005
HLTHSFTYEMSASST (56)				

30 yof w/chest pains	HLTHSFTYEMSASST	FT1B1	16:50:26 01/30/19	19FT00440
81 yof w/ chest pains	HLTHSFTYEMSASST	FT1A1	21:39:06 01/29/19	19FT00425
Feeding tube came out on resident	HLTHSFTYEMSASST	FT1B3	08:57:57 01/29/19	19FT00416
Possible heart attack	HLTHSFTYEMSASST	FT3J2	08:21:51 01/29/19	19FT00414
46 yom alcohol overdose	HLTHSFTYEMSASST	FT1B1	19:36:31 01/28/19	19FT00406
41 YOM - Hypoglycemia	HLTHSFTYEMSASST	FT2G1	03:06:47 01/27/19	19FT00384
77YOF fell on ice	HLTHSFTYEMSASST	FT3J1	07:59:36 01/25/19	19FT00357
73 yom, fall victim w/ injury	HLTHSFTYEMSASST	FT2F1	07:19:16 01/25/19	19FT00355
EMS assist	HLTHSFTYEMSASST	FT2G1	07:04:03 01/25/19	19FT00354
victim appeared confused/ low blood sugar	HLTHSFTYEMSASST	FT2G1	18:10:38 01/24/19	19FT00343
58 yof, illness	HLTHSFTYEMSASST	FT2G2	16:41:35 01/23/19	19FT00321
90 yom fall victim w/ injury	HLTHSFTYEMSASST	FT2G1	08:57:12 01/23/19	19FT00312
82 yom , general illness	HLTHSFTYEMSASST	FT1C1	08:34:13 01/23/19	19FT00310
50 yof - General illness	HLTHSFTYEMSASST	FT1B1	05:48:31 01/22/19	19FT00281
56 yof, illness	HLTHSFTYEMSASST	FT3K1	07:58:13 01/21/19	19FT00268
47 yof, fall with head injury	HLTHSFTYEMSASST	FT3J1	07:19:08 01/21/19	19FT00267
General Illness	HLTHSFTYEMSASST	FT2H1	16:05:09 01/20/19	19FT00262
EMS Assist possible stroke	HLTHSFTYEMSASST	FT2G1	13:55:32 01/20/19	19FT00260
81 YOF - swollen legs	HLTHSFTYEMSASST	FT3J1	22:51:58 01/19/19	19FT00250
Invalid Assist	HLTHSFTYEMSASST	FT2G1	21:40:21 01/19/19	19FT00248
59 yom trouble breathing	HLTHSFTYEMSASST	FT2G1	18:12:39 01/19/19	19FT00242
52 yof illness	HLTHSFTYEMSASST	FT1B1	00:13:49 01/18/19	19FT00204
25 yof vomiting	HLTHSFTYEMSASST	FT1C1	12:37:10 01/17/19	19FT00196
28 yom with chest pain	HLTHSFTYEMSASST	FT1B1	10:44:24 01/16/19	19FT00162
52 yof, general illness	HLTHSFTYEMSASST	FT1B1	22:03:56 01/15/19	19FT00155
AMBULANCE ASSIST 25 YOF	HLTHSFTYEMSASST	FT1B1	07:44:22 01/15/19	19FT00139
AMBULANCE ASSIST 83 YOF	HLTHSFTYEMSASST	FT2H1	01:54:13 01/15/19	19FT00138
50 yom diabetic issues	HLTHSFTYEMSASST	FT2G1	14:07:00 01/14/19	19FT00135
AMBULANCE ASSIST FOR 73 YOM	HLTHSFTYEMSASST	FT1C1	12:21:58 01/14/19	19FT00134
62 yof feeling dizzy	HLTHSFTYEMSASST	FT2H1	11:01:00 01/14/19	19FT00133
84 YOM with weakness	HLTHSFTYEMSASST	FT1C1	11:43:19 01/12/19	19FT00111
93 YOF WITH BACK PAIN	HLTHSFTYEMSASST	FT2L1	04:41:59 01/12/19	19FT00108
69YOM WEAKNESS	HLTHSFTYEMSASST	FT2G1	23:12:00 01/11/19	19FT00102
17 year old female took 50 pills in effort to kill herself	HLTHSFTYEMSASST	FT1E1	13:23:00 01/11/19	19FT00096
AMBULANCE ASSIST FOR 52YOF FALL VICTIM	HLTHSFTYEMSASST	FT1B1	02:12:16 01/11/19	19FT00090
AMBULANCE ASSIST FOR 69 YOM WITH IRREGULAR HEART RATE	HLTHSFTYEMSASST	FT1E1	13:15:53 01/10/19	19FT00079
AMBULANCE ASSIST FOR 30 YOF WITH ANXIETY PERSON SITTING IN CAR FOR A LONG TIME	HLTHSFTYEMSASST	FT1B1	11:49:28 01/10/19	19FT00077
AMBULANCE ASSIST	HLTHSFTYEMSASST	FT1B1	06:09:24 01/10/19	19FT00075
AMBULANCE ASSIST	HLTHSFTYEMSASST	FT2H1	11:05:05 01/09/19	19FT00070
55 year old male with trouble breathing and chest pain-transported to MNMC by CLLEMS	HLTHSFTYEMSASST	FT2G1	08:49:00 01/08/19	19FT00061
82 YOF with rapid heart rate	HLTHSFTYEMSASST	FT3J2	00:03:01 01/08/19	19FT00058
82 yof syncopy	HLTHSFTYEMSASST	FT3J2	21:43:00 01/07/19	19FT00056
SUBJECT IS CONCERNED ABOUT NEIGHBORS	HLTHSFTYEMSASST	FT1B1	11:33:21 01/06/19	19FT00045
AMBULANCE ASSIST FOR 64 YOM	HLTHSFTYEMSASST	FT2H1	07:11:23 01/06/19	19FT00043
46 yof feeling ill	HLTHSFTYEMSASST	FT1B3	00:00:00 01/06/19	19FT00040
46 YOF siezure like activity	HLTHSFTYEMSASST	FT1B3	15:10:00 01/05/19	19FT00036
89 yom AFIB and short of breath	HLTHSFTYEMSASST	FT2F1	15:00:00 01/04/19	19FT00031
80 YOM TROUBLE BREATHING	HLTHSFTYEMSASST	FT2G1	10:43:00 01/03/19	19FT00022
AMBULANCE ASSIST FOR 48 YOF	HLTHSFTYEMSASST	FT2G1	07:20:14 01/03/19	19FT00019
52 yof fell, injured hip	HLTHSFTYEMSASST	FT1B5	12:00:55 01/02/19	19FT00014
90 yof, ill	HLTHSFTYEMSASST		08:36:59 01/02/19	19FT00012
90 yof, fell no injuries	HLTHSFTYEMSASST		22:35:00 01/01/19	19FT00011
66 yof low blood sugar	HLTHSFTYEMSASST	FT1C1	17:50:59 01/01/19	19FT00010
73 yof fell, needed help standing	HLTHSFTYEMSASST	FT2H1	07:11:45 01/01/19	19FT00006
70 yof passed out	HLTHSFTYEMSASST		02:16:00 01/01/19	19FT00004
23 yof alcohol OD	HLTHSFTYEMSASST		00:32:22 01/01/19	19FT00003

HLTHSFTYFIREAST (7)

Fire alarm, cancelled prior to arrival	HLTHSFTYFIREAST	FT2G1	13:18:16 01/31/19	19FT00456
Residential fire assist	HLTHSFTYFIREAST	FT1B1	21:43:38 01/29/19	19FT00426
Fire alarm false activation	HLTHSFTYFIREAST	FT2G1	16:30:30 01/28/19	19FT00403

Commercial Fire Alarm Activation	HLTHSFTYFIREAST	FT2H1	22:06:42 01/23/19	19FT00330
Odor of Gas inside Business	HLTHSFTYFIREAST	FT1B5	05:36:28 01/23/19	19FT00308
Fire assist for CO2 alarm.	HLTHSFTYFIREAST	FT1B1	19:26:37 01/17/19	19FT00202
Caller's arm was stuck under a car seat	HLTHSFTYFIREAST	FT2G1	16:01:44 01/15/19	19FT00149
HLTHSFTYPRSNAST (1)				
79 yo female fall victim	HLTHSFTYPRSNAST	FT1C1	15:17:42 01/11/19	19FT00098
IDENTITYTHEFT (1)				
Caller recieved a credit card in the mail that she did not apply for.	IDENTITYTHEFT	FT2H1	09:56:50 01/16/19	19FT00160
MISSINGPERSON (3)				
Mother reported 17 yo son ran away	MISSINGPERSON	FT2G2	00:11:29 01/26/19	19FT00365
SON DID NOT RETURN HOME FROM SCHOOL	MISSINGPERSON	FT2G2	20:58:16 01/12/19	19FT00120
COMP. CANNOT LOCATE HUSBAND	MISSINGPERSON	FT1A1	08:40:17 01/09/19	19FT00069
ORDVIOL (8)				
Concerns about cat feces in yard and loud cars on Blue Course Dr	ORDVIOL	FT1F1	14:33:55 01/28/19	19FT00398
Snow on sidewalk	ORDVIOL	FT2G1	08:34:16 01/25/19	19FT00358
Complaint of resident throwing snow into the roadway.	ORDVIOL	FT3J1	14:45:32 01/24/19	19FT00341
Questions about snow removal	ORDVIOL	FT2H1	18:21:06 01/18/19	19FT00221
Caller had questions about dogs off leash.	ORDVIOL	FT2E1	13:21:48 01/18/19	19FT00216
Neighbors dog is deficating in neighbors lawn	ORDVIOL	FT2M1	10:43:45 01/16/19	19FT00161
parcel of land is being used for dumping of debris and lot is unkept	ORDVIOL	FT3N1	15:17:25 01/11/19	19FT00097
NEIGHBORS DOG IN YARD	ORDVIOL	FT1D1	09:09:12 01/03/19	19FT00020
OUTAGNCYASST (11)				
Assisted PTPD w/ domestic dispute	OUTAGNCYASST	FT1F2	16:17:26 01/31/19	19FT00462
Assisted PTPD with burglar alarm	OUTAGNCYASST	PTPD	05:13:54 01/31/19	19FT00452
Assist Drug Task Force with search warrant	OUTAGNCYASST	FT1B2	16:16:30 01/25/19	19FT00361
Multiple shootings	OUTAGNCYASST	SB2H6	23:09:05 01/24/19	19FT00353
Assisted SCPD w/ crash related to shooting	OUTAGNCYASST	SB2H3	22:45:58 01/24/19	19FT00352
Assist with several shooting incidents	OUTAGNCYASST	SB2H6	22:13:45 01/24/19	19FT00351
PTPD incident	OUTAGNCYASST	PTPD	17:42:07 01/22/19	19FT00294
Assisted PTPD with crash	OUTAGNCYASST	PTPD	19:04:25 01/21/19	19FT00276
Assist SCPD with theft	OUTAGNCYASST	SB2F5	13:24:05 01/19/19	19FT00236
Lost wallet with credit cards used in Patton Township	OUTAGNCYASST	FT1A1	12:24:16 01/12/19	19FT00113
Assist CYS with removal of child from residence	OUTAGNCYASST	FT2G2	15:51:00 01/04/19	19FT00032
PARKING (7)				
Parking complaint, no violations	PARKING	FT1C1	15:31:38 01/30/19	19FT00436
Parking complaint, someone changing a flat tire	PARKING	FT1E1	17:51:40 01/28/19	19FT00405
Parking Complaint	PARKING	FT1B1	07:00:46 01/24/19	19FT00332
Two vehicles blocking road crew	PARKING	FT2G1	22:12:08 01/19/19	19FT00249
Parking complaint	PARKING	FT2G1	21:49:35 01/19/19	19FT00247
PARKING COMPLAINT	PARKING	FT1A1	00:52:12 01/12/19	19FT00106
DISPUTE OVER TOWED VEHICLE	PARKING	FT1C1	21:35:00 01/10/19	19FT00085
PersonStop (1)				
Person stop	PersonStop	FT1B3	01:01:28 01/20/19	19FT00256
PROFOUND (4)				
Lost Credit Card	PROFOUND	FT1B1	01:04:36 01/23/19	19FT00307
Caller found a computer bag.	PROFOUND	FT1F1	12:12:53 01/22/19	19FT00284
Samsung phone found in field	PROFOUND	FT3L1	16:30:00 01/14/19	19FT00144
FOUND PROPERTY ON BIKE PATH	PROFOUND	FT1F1	16:33:55 01/12/19	19FT00116
PROPLOST (4)				
Caller got a text from someone that found lost phone.	PROPLOST	FT2H1	12:53:13 01/17/19	19FT00198
lost wallet at business	PROPLOST	FT1B1	17:16:00 01/13/19	19FT00128
Lost wallet	PROPLOST	FT1B1	14:07:35 01/10/19	19FT00080
Lost purse, fell off car roof	PROPLOST	FT2H2	13:25:00 01/02/19	19FT00015
RETAILTHEFT (1)				
Individual stole eye drops from retail establishment	RETAILTHEFT	FT1B1	17:17:00 01/03/19	19FT00026
RFACANHELPMHID (2)				
302 Warrant Service	RFACANHELPMHID	FT2M1	23:39:02 01/28/19	19FT00412

Service of 302 warrant	RFACANHELPMHID	FT2G1	21:30:14 01/26/19	19FT00377
<u>RFACIVILDISP (13)</u>				
mother accused daughter of stealing pills and car caller wanted girlfriend kicked out of apt.	RFACIVILDISP	FT2H1	16:09:34 01/31/19	19FT00461
Civil dispute over property	RFACIVILDISP	FT1A1	14:47:34 01/31/19	19FT00458
Male serving subpoena to bank workers	RFACIVILDISP	FT1C1	15:18:00 01/26/19	19FT00370
Civil Dispute over vehicle transport	RFACIVILDISP	FT1B1	11:58:48 01/26/19	19FT00368
Dispute over custody issues	RFACIVILDISP	FT1A1	14:10:26 01/22/19	19FT00288
Dispute over pay	RFACIVILDISP	FT2G2	17:40:01 01/19/19	19FT00240
RFA Civil - gas station approved cash sale without speaking to customer.	RFACIVILDISP	FT2H1	14:19:14 01/19/19	19FT00237
Argument between a separated couple regarding their 12 year old daughter.	RFACIVILDISP	FT3J1	15:31:35 01/17/19	19FT00200
ROOMMATE DISPUTE	RFACIVILDISP	FT1D1	10:51:52 01/12/19	19FT00110
CALLER UPSET WITH ROOMMATE	RFACIVILDISP	FT1B1	23:44:00 01/10/19	19FT00087
Dispute over payment and retrieving a vehicle.	RFACIVILDISP	FT1B2	21:24:11 01/10/19	19FT00083
LOANED CAR TOWED BACK IN AUGUST 2018	RFACIVILDISP	FT2G1	16:23:59 01/08/19	19FT00066
	RFACIVILDISP	FT2G1	14:01:46 01/03/19	19FT00025
<u>RFALOCATECONT (5)</u>				
Wanting help with estranged family member	RFALOCATECONT	FT1C1	15:23:18 01/28/19	19FT00400
Mother concerned for her 26yo son	RFALOCATECONT	FT1B1	23:38:30 01/22/19	19FT00306
Caller wanted to see if we could make contact with brother	RFALOCATECONT	FT1C1	11:26:33 01/16/19	19FT00166
complainant was unable to contact son	RFALOCATECONT	FT1D1	12:53:00 01/12/19	19FT00114
Attempt to makecontact with granddaughter	RFALOCATECONT	FT3J2	14:55:23 01/03/19	19FT00024
<u>RFAOTHER (24)</u>				
Male in FTPD to report situation that could escalate	RFAOTHER	FT1D1	09:45:17 01/31/19	19FT00454
Lost phone, caller wants no report	RFAOTHER	FT1F2	15:56:56 01/28/19	19FT00401
Signal light bulb to be out	RFAOTHER	FT2F1	20:07:22 01/26/19	19FT00373
Questions about PFA	RFAOTHER	FT2G1	19:25:29 01/26/19	19FT00372
Resident left thank you in lobby	RFAOTHER	FT2H1	12:01:07 01/26/19	19FT00369
Male and female yelling	RFAOTHER	FT1A1	01:32:59 01/26/19	19FT00364
Person posted something on FB about caller	RFAOTHER	FT2G1	11:59:36 01/24/19	19FT00336
Comp. is hearing neighbors talk about her	RFAOTHER	FT1B2	05:31:59 01/24/19	19FT00331
Questions about crash	RFAOTHER	FT1B1	16:41:18 01/22/19	19FT00291
Questions about a vehicle in storage	RFAOTHER	FT1E1	12:49:23 01/21/19	19FT00271
Bank serving customer with No Trespass paperwork	RFAOTHER	FT1B1	12:00:22 01/18/19	19FT00212
Helped resident change smoke detector batteries	RFAOTHER	FT1E1	02:33:57 01/17/19	19FT00185
General complaints from MHID individual.	RFAOTHER	FT2G1	16:14:39 01/16/19	19FT00173
Caller said son left cell phone at fathers home.	RFAOTHER	FT2G1	07:51:51 01/16/19	19FT00158
Caller had questions about noisy neighbors	RFAOTHER	FT1B2	19:02:03 01/15/19	19FT00152
Mistakenly pulled incident number	RFAOTHER	FT3L1	10:31:01 01/15/19	19FT00143
Case pulled by mistake	RFAOTHER	FT2H1	10:12:23 01/15/19	19FT00151
Call meant for PTPD	RFAOTHER	FT1B3	16:26:00 01/14/19	19FT00136
CONCERN FOR CHILDRENS FATHERS SAFETY	RFAOTHER	FT2G1	23:35:00 01/13/19	19FT00131
CAMERAS PLACED	RFAOTHER		15:26:20 01/12/19	19FT00115
Subjects washing cars in parking lot without permission	RFAOTHER	FT1B1	12:17:21 01/11/19	19FT00092
27 yom with emotional problems	RFAOTHER	FT2G1	13:41:00 01/05/19	19FT00035
CALLER HAD QUESTIONS ABOUT POSTS ON FACEBOOK	RFAOTHER	FT2G1	08:21:03 01/04/19	19FT00028
Unusual package left on compl's porch, ok	RFAOTHER	FT2H1	14:24:00 01/02/19	19FT00016
<u>SCATTRUBBISH (1)</u>				
NEIGHBORS TRASH BLOWING INTO COMPLAINANTS YARD	SCATTRUBBISH	FT2G1	14:59:36 01/11/19	19FT00094
<u>SUSPACTY (28)</u>				
Multiple callers reporting possible gunshots - confirmed fireworks	SUSPACTY	FT1F2	19:47:52 01/30/19	19FT00445
Fraud attempt.	SUSPACTY	FT2H1	17:33:20 01/30/19	19FT00441
Scam phone call	SUSPACTY	FT3S1	15:05:37 01/30/19	19FT00435
Unknown person knocking on door	SUSPACTY	FT1F2	01:32:36 01/27/19	19FT00382
Scam email	SUSPACTY	FT2H1	22:04:02 01/26/19	19FT00378

Motel found possible marijuana in a room, was later taken out of the trash by the resident who then fled the building.	SUSPACTY	FT1B5	15:41:17 01/25/19	19FT00362
report of 2 males trying tom open car doors	SUSPACTY	FT2H1	19:23:14 01/24/19	19FT00348
Caller concerned when he saw two people going through a residence with flashlights.	SUSPACTY	FT2M1	18:49:11 01/24/19	19FT00346
Unknown van parked in lot	SUSPACTY	FT2H1	07:51:45 01/24/19	19FT00333
West Penn Power scam	SUSPACTY	FT1B1	15:48:40 01/23/19	19FT00319
Knocking on bedroom window, vehicle they don't recognize in the area.	SUSPACTY	FT2G1	22:03:48 01/22/19	19FT00304
Suspicious doctor visit	SUSPACTY	FT2E1	20:27:54 01/22/19	19FT00303
39 yom acting strange	SUSPACTY	FT2H1	08:36:28 01/15/19	19FT00140
suspicious male advising he was selling candles	SUSPACTY	FT1F1	18:34:52 01/11/19	19FT00101
caller observed an asian female trying to get an asian child into a vehicle	SUSPACTY	FT2H1	16:06:15 01/11/19	19FT00100
caller stated young female in back seat of car with older male	SUSPACTY	FT3I1	15:16:00 01/08/19	19FT00065
SUSPICIOUS SCAM PHONE CALL	SUSPACTY	FT3K1	13:35:38 01/08/19	19FT00064
SUSPICIOUS EMAIL RECEIVED	SUSPACTY	FT2G1	12:01:32 01/08/19	19FT00062
UNKNOWN FEMALE HARASSING REPORTER	SUSPACTY	FT2G1	04:53:25 01/07/19	19FT00049
Individual cannot locate his 14" stainless steel skillet, unknown brand	SUSPACTY	FT1B1	16:31:00 01/06/19	19FT00047
Suspicious person in the lobby	SUSPACTY	FT1B1	03:50:00 01/06/19	19FT00042
2 Males walking door to door for the The Church of Jesus Christ of Latter Day Saints	SUSPACTY	FT2G1	19:47:00 01/05/19	19FT00037
VEHICLE PARKED AT THE BASKETBALL COURT	SUSPACTY	FT2E1	11:42:47 01/05/19	19FT00034
SUSPICIOUS VEHICLE AT BANK	SUSPACTY	FT1A1	22:31:00 01/04/19	19FT00033
Scam IRS phone call	SUSPACTY	FT2H1	10:22:28 01/03/19	19FT00021
two moving vans parked in front of the complainants residence	SUSPACTY	FT1D1	19:45:50 01/02/19	19FT00017
CHANGE IN PATTERN OF NEIGHBOR CONCERNING 3 teenagers w/ an airsoft gun.	SUSPACTY	FT3J2	10:20:59 01/02/19	19FT00013
	SUSPACTY	FT2H1	14:48:23 01/01/19	19FT00009

TERRSTCTHREATS (1)

complainant feared her boyfriend was outside her residence	TERRSTCTHREATS	FT1F2	20:29:19 01/12/19	19FT00119
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TEST (1)

	TEST	FT2H1	10:12:02 01/15/19	19FT00142
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THEFT (5)

Theft of items from an unlocked vehicle.	THEFT	FT1B1	18:15:29 01/20/19	19FT00263
someone stole items from landlord	THEFT	FT2H1	13:55:47 01/19/19	19FT00235
Package tampered with	THEFT	FT1F2	16:52:39 01/16/19	19FT00175
package delivered to wrong address	THEFT	FT3K1	14:15:44 01/09/19	19FT00073
THEFT AND UNAUTHORIZED USE OF CREDIT CARD	THEFT	FT1A1	09:17:40 01/07/19	19FT00052

TRAFFIC (38)

tire in the intersection	TRAFFIC	FT1E1	18:53:37 01/31/19	19FT00464
female watching phone while driving	TRAFFIC	FT1B1	17:11:38 01/31/19	19FT00463
Bucket on the road, GOA	TRAFFIC	FT1A1	15:44:53 01/31/19	19FT00460
Disabled Vehicle	TRAFFIC	FT3O1	16:11:42 01/30/19	19FT00439
Reckless operation - vehicle cut caller off in traffic.	TRAFFIC	FT2G2	15:52:20 01/30/19	19FT00437
School-crossing guard detail.	TRAFFIC	FT3J1	07:39:30 01/30/19	19FT00428
Vehicle parked in travel lane	TRAFFIC	FT3T1	20:46:21 01/26/19	19FT00374
School bus violation	TRAFFIC	FT2H3	10:03:15 01/25/19	19FT00359
icy puddled reported	TRAFFIC	FT2M1	19:22:12 01/24/19	19FT00347
Disabled vehicle, operator already contacted roadside assistance	TRAFFIC		21:18:26 01/23/19	19FT00328
Vehicle in park after dark, told to leave	TRAFFIC	FT1B1	19:29:14 01/23/19	19FT00324
Icy conditions	TRAFFIC	FT1C1	18:16:28 01/23/19	19FT00323
Reckless operation complaint	TRAFFIC	FT2G1	14:14:13 01/23/19	19FT00317
Vehicle swerving-GOA	TRAFFIC	FT1F2	22:03:31 01/21/19	19FT00278
Caller reported icy roads	TRAFFIC	FT1D1	09:46:36 01/21/19	19FT00269
Complaint about icy roads	TRAFFIC	FT2H1	13:21:30 01/20/19	19FT00259
Street sign knocked down	TRAFFIC	FT1C1	00:05:04 01/20/19	19FT00254

Sedan stuck in the snow disabled vehicle	TRAFFIC	FT1B1	23:49:20 01/19/19	19FT00251
Disabled vehicle	TRAFFIC	FT1B1	21:20:15 01/19/19	19FT00246
Report of kids piling snow on the roadway disabled vehicle	TRAFFIC	FT1A1	20:31:20 01/19/19	19FT00245
Vehicle stuck in the snow, tow truck contacted	TRAFFIC	FT2H3	18:17:31 01/19/19	19FT00243
School Bus Violation	TRAFFIC	FT2H1	17:58:01 01/19/19	19FT00241
Mechanical failure of a bus with students	TRAFFIC		17:11:35 01/19/19	19FT00239
Disabled vehicle, tow truck contacted	TRAFFIC	FT1B1	16:38:51 01/18/19	19FT00220
Car passed flashing red school bus	TRAFFIC	FT2F1	16:04:36 01/18/19	19FT00218
Vehicle registration was expired and suspended	TRAFFIC	FT2G1	19:54:38 01/17/19	19FT00203
Person ran red lights on a school bus.	TRAFFIC	SB2A1	10:58:03 01/17/19	19FT00194
Object on the roadway, GOA	TRAFFIC	FT1A1	10:04:29 01/17/19	19FT00192
Disabled vehicle, provided traffic control	TRAFFIC	FT1B1	08:55:31 01/17/19	19FT00191
School bus violation	TRAFFIC	FT1B1	18:32:47 01/16/19	19FT00178
83 yof driver lost, provided directions	TRAFFIC	FT2H1	17:47:40 01/15/19	19FT00150
damaged mailboxes on Linn Street	TRAFFIC	FT1F2	08:44:10 01/15/19	19FT00141
vehicle pulled out in front of complainant	TRAFFIC	FT3H1	20:24:00 01/14/19	19FT00137
SUSPENDED REGISTRATION / NO INSURANCE	TRAFFIC	FT1A1	14:30:00 01/13/19	19FT00127
driver advised she may have hit vehicle behind her but is not certain	TRAFFIC	FT1B1	17:45:00 01/12/19	19FT00117
Scool bus reds violation	TRAFFIC	FT1F2	11:40:00 01/10/19	19FT00076
	TRAFFIC	FT1B1	14:00:00 01/04/19	19FT00030
TRAFFIC STOP (2)				
Suspended driver	TRAFFIC STOP	FT1B1	17:24:22 01/28/19	19FT00404
24 yom arrested for DUI and arraigned.	TRAFFIC STOP	FT1B1	02:11:28 01/26/19	19FT00366
TRESPASS (3)				
Trespass at business	TRESPASS	FT1A1	14:01:14 01/29/19	19FT00419
two males refused to leave business	TRESPASS	FT1A1	20:36:31 01/24/19	19FT00349
TWO JUVENILES IN THE PARK AFTER HOURS	TRESPASS	FT1B1	20:15:34 01/10/19	19FT00082
VACHOMECHK (3)				
Vacation Home Check	VACHOMECHK	FT1D1	11:20:28 01/15/19	19FT00145
Vacation Home Check	VACHOMECHK	FT2G2	00:00:00 01/15/19	19FT00147
Vacation Home Check	VACHOMECHK	FT3L1	09:39:19 01/07/19	19FT00051
VHCLCRSHHITRUN (1)				
Hit and run/ non reportable	VHCLCRSHHITRUN	FT1F2	22:56:42 01/30/19	19FT00448
VHCLCRSHNOINJ (19)				
Two car accident	VHCLCRSHNOINJ	FT2G1	13:15:44 01/31/19	19FT00455
1 car reportable crash no injuries	VHCLCRSHNOINJ	UUP01	18:29:48 01/30/19	19FT00444
Plow truck struck utility pole and snapped it	VHCLCRSHNOINJ	FT2M1	17:45:24 01/30/19	19FT00443
Vehicle backed into parked car	VHCLCRSHNOINJ	FT2G1	12:42:01 01/30/19	19FT00434
2 car non reportable crash	VHCLCRSHNOINJ	FT2H1	15:39:27 01/29/19	19FT00422
Three vehicle nonreportable crash	VHCLCRSHNOINJ	FT2H3	18:31:25 01/27/19	19FT00391
Minor vehicle crash. No injuries.	VHCLCRSHNOINJ	FT1B1	09:23:09 01/27/19	19FT00385
Reportable crash - 1 vehicle no injuries	VHCLCRSHNOINJ	FT2G1	05:22:34 01/20/19	19FT00258
One vehicle reportable crash	VHCLCRSHNOINJ	FT1B4	15:08:34 01/19/19	19FT00238
Two car minor accident	VHCLCRSHNOINJ	FT1B1	12:30:27 01/19/19	19FT00233
Two car minor accident	VHCLCRSHNOINJ	FT1B3	11:33:29 01/18/19	19FT00211
two vehicle, non-reportable crash	VHCLCRSHNOINJ	FT3H1	17:29:00 01/13/19	19FT00129
1 vehicle reportable crash	VHCLCRSHNOINJ	FT1B1	08:31:48 01/13/19	19FT00126
SINGLE VEHICLE REPORTABLE CRASH	VHCLCRSHNOINJ	FT1F2	00:43:02 01/13/19	19FT00125
SINGLE VEHICLE CRASH	VHCLCRSHNOINJ	FT1F1	23:25:00 01/12/19	19FT00123
SINGLE VEHICLE CRASH	VHCLCRSHNOINJ	FT1D1	22:15:00 01/12/19	19FT00121
SUBJECT REAR ENDED ANOTHER VEHICLE	VHCLCRSHNOINJ	FT1F1	12:44:08 01/11/19	19FT00093
NEW VEHICLE STRUCK IN DEALERSHIP LOT	VHCLCRSHNOINJ	FT2H1	07:15:58 01/08/19	19FT00059
Two vehicle crash, no injuries, non reportable	VHCLCRSHNOINJ	FT1B1	14:24:00 01/06/19	19FT00046
VHCLCRSHUNKN (6)				
two vehicle, non-reportable crash	VHCLCRSHUNKN	FT1B1	08:32:00 01/14/19	19FT00132
Vehicle hit deer	VHCLCRSHUNKN	FT2M1	20:49:00 01/13/19	19FT00130
two vehicle reportable crash	VHCLCRSHUNKN	PTPD	17:37:25 01/07/19	19FT00055
ACCIDENT INVOLVING TOWNSHIP VEHICLE	VHCLCRSHUNKN	FT2G1	13:15:41 01/07/19	19FT00053

Car vs deer accident	VHCLCRSHUNKN	FT1F1	05:58:35 01/07/19	19FT00050
Two vehicle crash. Non reportable.	VHCLCRSHUNKN	FT1C1	20:23:00 01/06/19	19FT00048
<i>WARRANTSERVICE (2)</i>				
Attempted to serve a mental health warrant	WARRANTSERVICE	FT1C1	02:27:42 01/19/19	19FT00229
TRAFFIC STOP - OPERATOR HAD WARRANTS	WARRANTSERVICE	FT1C1	20:25:00 01/09/19	19FT00074



Borough of State College
"A Home Rule Municipality"

STATE COLLEGE POLICE DEPARTMENT

Phone 814-234-7150
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State College, PA 16801
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police@statecollegepa.us

JOHN F. GARDNER
Chief of Police



February 6, 2019

Ferguson Township Police Department
Chief Chris Albright
3147 Research Drive
State College, PA 16801

Dear Chief Albright,

On behalf of the State College Police Department, I wanted to extend my sincerest appreciation for the action, assistance and support of your agency during the critical incidents on January 24, 2019.

As the night quickly unfolded and one scene became two, then three, State College officers responding were aided by your department and others throughout the Centre Region, a true testament to the exceptional relationship our agencies share. Without hesitation or request, your officers placed themselves along side State College officers, willing to do what ever was necessary.

Despite the expeditious end to the threat, your personnel were diligent and professional, providing the help our command staff and detectives needed during the most dire of circumstances.

Please pass along my gratitude to Dan and Skyler. Job well done.

Sincerely,

A handwritten signature in black ink that reads "John F. Gardner".

JOHN F. GARDNER
CHIEF OF POLICE

JFG/cmw

Cc: David Pribulka, Borough Manager