

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Tuesday, March 21, 2023 - 7:00 PM

MEETING PARTICIPATION OPTIONS

VIRTUAL:

Join Zoom Meeting Link:

<https://us02web.zoom.us/j/83406305774>

Meeting ID: 834 0630 5774

[Zoom Access Instructions](#)

IN-PERSON:

Ferguson Township Municipal Building

Main Meeting Room

3147 Research Drive

State College, PA

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- I. CALL TO ORDER
 - II. PLEDGE OF ALLEGIANCE
 - III. ANNOUNCEMENTS
 - IV. PUBLIC INPUT
 - V. APPROVAL OF MINUTES
 - VI. AUTHORITIES, BOARDS, AND COMMISSION REPORTS
 - VII. SPECIAL REPORTS
 - VIII. COG AND REGIONAL REPORTS
 - IX. STAFF REPORTS
 - X. UNFINISHED BUSINESS
 - Resolution Submission Tourism Grant Application to Happy Valley Adventure Bureau
 - Anticipated Construction Costs Contract 2022-C21 Pine Grove Mills Bike & Pedestrian Improvements
 - Resolution Authorizing Manager Execute Agreement McCormick & Taylor
 - Public Hearing on a Resolution to Approve Fairbrook Park Master Plan
 - XI. NEW BUSINESS
 - Consent Agenda
 - Proclamation Annual Watershed Cleanup Day
 - Proclamation Workers' Memorial Day
 - Proclamation Safe Digging
 - Authorizing Filing Grant Application Funding "Cecil Irvin Park Phase 2.1"
 - Resolution Authorizing Manager to Execute Agreement for Prof. Services
 - Request Modification-125 East Pine Grove Road (TP: 24-009A,030-,0000-)
 - Support Letter St. Paul Lutheran Church
 - Parking Study Diebler Road
 - Discussion Regulating of Burning Motor Oil
 - Discussion on CATA Bus Stop on Blue Course Drive
 - XII. COMMUNICATIONS TO THE BOARD
 - XIII. CALENDAR ITEMS
 - XIV. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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BOARD OF SUPERVISORS Regular Meeting Agenda Tuesday, March 21, 2023 7:00 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ANNOUNCEMENTS

IV. PUBLIC INPUT

V. APPROVAL OF MINUTES

1. March 7, 2023 – Board of Supervisors Regular Meeting Minutes

VI. AUTHORITIES, BOARDS, AND COMMISSION REPORTS

1. Recognition of Service to Centre Area Transportation Authority Representative John Spychalski
2. University Area Joint Authority - Mr. Mark Kunkle and Mr. Wes Glebe

VII. SPECIAL REPORTS

1. Diversity, Equity, and Inclusionary Initiatives and Acknowledgements – Women’s History Month, Greek American Heritage Month, Irish-American Heritage Month, Agriculture Month, Ramadan Begins 3/22
2. Township and Fiscal Responsibility – none.
3. Community and Economic Development – none.
4. Environment – none.

VIII. COG AND REGIONAL COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

15 minutes

- a. Climate Action & Sustainability Committee
- b. Facilities Committee
- c. Public Safety Committee – Cancellation notice
- d. Finance Committee
- e. Centre Region Parks and Recreation Authority Committee
- f. Executive Committee

2. OTHER COMMITTEE REPORTS

IX. STAFF REPORTS

1. Manager’s Report

5 minutes

2. Public Works Director

- 3. Planning & Zoning Director
- 4. Chief of Police

X. UNFINISHED BUSINESS

- 1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ON THE SUBMISSION OF A TOURISM GRANT APPLICATION TO HAPPY VALLEY ADVENTURE BUREAU** 5 minutes
Centrice Martin, Township Manager

Narrative

Provided with the agenda is a resolution advertised for public hearing authorizing the submission and matching funds for a grant application to the Happy Valley Adventure Bureau (HVAB). If awarded, funds would be used in accordance with the HVAB guidelines and in support of the 2023 Route 45 Getaways event.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Township Manager to authorize a local match in the amount of 25 percent of the grant award amount and submit a Tourism Grant application to the Happy Valley Adventure Bureau.

Staff Recommendation

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

- 2. DISCUSSION OF ANTICIPATED CONSTRUCTION COSTS FOR CONTRACT 2022-C21 PINE GROVE MILLS BIKE AND PEDESTRIAN IMPROVEMENTS** 20 minutes
David Modricker, Public Works Director

Narrative

Staff reported previously to the Board that based on field views and additional information discussed with the consultant and PennDOT, construction costs may be higher than the costs anticipated during the grant application process. The further design progresses, the further the construction cost estimate can be refined. No design work has been done to date. Staff revised the original construction estimate, prepared 6 “de-scoping” estimates, and one “add-scope” estimate. The revised original scope estimate, 2 de-scope estimates, and one add-scope estimate are attached.

Recommended motion: That the Board of Supervisors approve option _____.

Staff Recommendation

That the Board of Supervisors **discuss** the bike and pedestrian improvement options and associated costs.

- 3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE MANAGER TO EXECUTE AGREEMENT WITH MCCORMICK & TAYLOR** 10 minutes
David Modricker, Director of Public Works

Narrative

The Township received \$700,000 from PennDOT through a Transportation Alternatives Set Aside (TASA) program and a \$50,000 liquid fuels grant from the County for construction of mobility improvements in Pine Grove Mills (along sections of Water Street, SR45, and Nixon Road). The Township is responsible to fund design, utility, and right of way acquisition phases of the project. The

Township solicited proposals for professional design services in accordance with PennDOT requirements. Based on reviews and rankings, McCormick Taylor was selected as the design firm. Staff has been reviewing and negotiating the scope and price proposal with McCormick Taylor to ensure the best value for Ferguson Township.

Recommended motion: That the Board of Supervisors authorize the Township Manager to sign the Agreement and Contract for Professional Services with McCormick Taylor, Inc. in an amount not to exceed \$387,000.85.

Staff Recommendation

That the Board of Supervisors **authorize** the Township Manager to sign the Agreement.

4. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA TO APPROVE FAIRBROOK PARK MASTER PLAN** 10 minutes
Jaymes Progar, Assistant Township Manager

Narrative

In August 2021, the Township engaged consultant Herbert, Rowland & Grubic to conduct an update to the Recreation, Parks, and Open Space Plan, led by Tracy Strickland. An addendum to that project included the master planning process for Fairbrook Park. Since that time, HRG engaged citizens via multiple public input events including the Municipal Mixer held at the park in August of 2022. Additional input was received from the Parks and Recreation Committee to deliver a draft master plan to the Board of Supervisors. Attached to this agenda is a copy of the Fairbrook Park Master Plan. At the February 21 Regular meeting the Board authorized advertisement of a public hearing to consider approval of the Fairbrook Park Master Plan by resolution.

Recommended motion: That the Board of Supervisors adopt the Resolution for the Fairbrook Park Master Plan

Staff Recommendation

That the Board of Supervisors **adopt** the resolution for the Fairbrook Park Master Plan.

XI. NEW BUSINESS

1. **CONSENT AGENDA** 5 minutes
- a. Board member request – ARPA
 - b. The Cottages Surety Reduction 3: \$116,102.91 (*revised balance: \$0.00*)
 - c. Voucher Report – January 2023
 - d. Voucher Report – February 2023
 - e. Special Events Permit - State College Borough Mayor's Ride 2023

2. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA TO OFFICIALLY RECOGNIZE ANNUAL WATERSHED CLEANUP DAY** 5 minutes
Jaymes Progar, Assistant Township Manager

Narrative

This proclamation is in support of designating April 22, 2023, as Watershed Cleanup Day.

Recommended motion: That the Board of Supervisors adopt the proclamation of the Township of Ferguson, Centre County, Pennsylvania officially recognizing Annual Watershed Cleanup Day.

Staff Recommendation

That the Board of Supervisors **adopt** the proclamation

3. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA TO OFFICIALLY RECOGNIZE WORKERS' MEMORIAL DAY** 10 minutes
Jaymes Progar, Assistant Township Manager

Narrative

This proclamation is in recognition of the sacrifices of workers and working families – past and present – in the community and designating April 28, 2023, as Workers' Memorial Day.

Recommended motion: That the Board of Supervisors adopt the proclamation of the Township of Ferguson, Centre County, Pennsylvania officially recognizing Workers' Memorial Day.

Staff Recommendation

That the Board of Supervisors **adopt** the proclamation

4. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA TO OFFICIALLY RECOGNIZE SAFE DIGGING** 10 minutes
Jaymes Progar, Assistant Township Manager

Narrative

This proclamation is in support of the Pennsylvania Underground Utility Line Protection Law, PA Act 287 of 1974, to hereby designate April 2023 as Pennsylvania Safe Digging Month.

Recommended motion: That the Board of Supervisors adopt the proclamation of the Township of Ferguson, Centre County, Pennsylvania officially recognizing Safe Digging Month.

Staff Recommendation

That the Board of Supervisors **[action here]** the [text here]

5. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FUNDING ADMINISTERED BY THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (DCNR) FOR THE PROJECT, "CECIL IRVIN PARK – PHASE 2.1"** 5 minutes
Jaymes Progar, Assistant Township Manager

Narrative

On January 17, the Pennsylvania Department of Conservation and Natural Resources opened an application period for Community Conservation Partnership Program. Eligible projects include Community Parks and Recreation projects that expand or rehabilitate existing parks that improve access to recreation for all. As a result of this opportunity, Staff proposes to apply for this grant for the construction of Cecil Irvin Park – Phase II, a vital, urgent need providing connectivity throughout the Pine Grove Mills village area. Additionally, this park features climate action affirmative Green Infrastructure via native seed mixes and pervious paving while also supporting the Township's stormwater infrastructure. The proposed plan is consistent with the Park Master Plan Phase 2.1 as drawn by HRG with additional walking paths and alternative amenities suggested because of a 2021 review process by the Pine Grove Mills Small Area Plan Committee. Amenities include dual walking loops, ADA accessible pathways, benches, parking, and a pavilion providing access to recreation for all. Construction of Monday, October 3, 2022 Page 3 this phase represents a critical step in the

completion of Cecil Irvin Park, a focal point of open space for a growing community. A draft resolution is provided with the agenda for tonight's public hearing.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the submittal of a DCNR C2P2 Grant Application for Cecil Irvin Park funding.

Staff Recommendation

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

- 6. A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE AN AGREEMENT AND CONTRACT FOR PROFESSIONAL SERVICES.** 10 minutes

David Modricker, Public Works Director

Narrative

The Township is advancing the preliminary design of MS4 (municipal separate storm sewer system) PRP (pollutant reduction projects) in Slab Cabin Run and in a tributary to Beaver Branch Run as required by permit. Some survey can be done in house, and some survey and oversight by a Professional Land Surveyor (PLS) is required. Attached find a professional services agreement with SAS to advance this work. The proposed work is included in budget item 20.408.317.

Recommended motion: That the Board of Supervisors authorize the Manager to sign a professional services agreement with SAS.

Staff Recommendation

That the Board of Supervisors **authorize** the manager to sign a professional services agreement with SAS.

- 7. REQUEST FOR CONSIDERATION OF A MODIFICATION—125 EAST PINE GROVE ROAD (TP: 24-009A,030-,0000-)** 10 minutes

Jenna Wargo, Planning and Zoning Director

Narrative

On November 14, 2022, PGH Real Estate Holdings, LLC requested a modification from Chapter 22-516 – Landscaping. The 125 East Pine Grove Road Preliminary Land Development Plan proposes the conversion of a single-family home into a restaurant with indoor and outdoor dining areas. The property is located at 125 East Pine Grove Road (24-009A-030-0000) and is zoned Village (V). The property is approximately 0.496 acres.

The applicant is requesting a modification from providing the required amount of plantings in the buffer yard under the ordinance. The lot is small in size with overhead utilities that the applicant claims is not conducive to successful plantings. The applicant has proposed alternative landscaping for the buffer yard requirements.

Included in the agenda is a sheet plan with required plantings by ordinance and the proposed alternative from the applicant. Staff included two memos from the Township Arborist. The first is a memorandum with the Arborist's recommendation on the most recent submission and the second memorandum outlines the Ferguson Township Tree Commission's recommendation on the request. Staff have reviewed the request and recognizes that §22-516 is challenging to apply to certain zoning

districts and is recommending amending §22-516—Landscaping and approval to the Board of Supervisors.

Planning Commission reviewed the request and recommended approval of the modification request to the Board of Supervisors and recommended amending §22-516—Landscaping.

Recommended motion: Move that the Board of Supervisors grant the modification request to PGH Real Estate Holdings, LLC. from §22-516—Landscaping.

Staff Recommendation

That the Board of Supervisors **grant** the modification request and direct staff to review §22-516—Landscaping and proposed potential amendments.

8. LETTER OF SUPPORT FOR ST. PAUL LUTHERAN CHURCH

Centrice Martin, Township Manager

5 minutes

Narrative

The Board is asked to consider providing a letter of support for the St. Paul Lutheran Church Solar Project. A letter has been drafted and provided with the agenda to send to West Penn Power.

Recommended motion: That the Board directs staff to send the drafted letter of support.

Staff Recommendation

That the Board of Supervisors **directs** staff to send the drafted letter of support.

9. BOARD MEMBER REQUEST – REQUEST FOR PARKING STUDY ON DIEBLER ROAD

Laura Dininni, Supervisor

20 minutes

Narrative

Strategic Plan excerpt: Every resident and guest deserves to live, work, study, and recreate in a high quality environment. Therefore, it is our responsibility to properly maintain and provide for the safety of our community's neighborhoods, streets, parks, and common areas.

There have been concerns expressed regarding parking on Deibler Road, including parking patterns regularly impeding traffic flow and causing dangerous conditions.

Could the Board please discuss and consider a motion directing Staff to conduct a parking study on Deibler Road.

10. BOARD MEMBER REQUEST – REQUEST FOR DISCUSSION ON REGULATING OF BURNING OF MOTOR OIL

Laura Dininni, Supervisor

10 minutes

Narrative

Resident complaints about residential waste motor burning have brought this concerning issue to light.

Strategic plan excerpt/Narrative: Every resident and guest deserves to live, work, study, and recreate in a high quality environment. Therefore, it is our responsibility to properly maintain and provide for the safety of our community's neighborhoods, streets, parks, and common areas.

As Environmental Stewards, we are to "Identify and use existing tools to preserve the environment".

Unlike heating oil, waste oil can contain numerous hazardous materials that enter our air when burned. Sources permitted to burn waste oil must undergo testing to determine that the act of burning oil will not release toxic pollutants into the air and will comply with federal air quality standards.

Could the Board please discuss and consider a motion directing Staff to research the ability of the Township to regulate/prohibit such waste motor oil burning and propose a way to integrate such regulation as Allegheny County has, should it be possible, into our Code.

11. BOARD MEMBER REQUEST – REQUEST FOR DISCUSSION ON CATA BUS STOP ON BLUE COURSE DRIVE

Laura Dininni, Supervisor

10 minutes

Narrative

In the Feb. 7, 2023 Public Work Directors report to the board, it was mentioned that in house design is being done for a crossing island on Blue Course Drive. The safety of residents crossing this road to an inbound CATA bus stop is a concern. The cost associated with building additional crossing measures and adding adequate lighting is also a concern. Would like to discuss other solutions to address this safety issue.

Recommended motion: *That the Board of Supervisors direct staff to write a letter, on their behalf, to CATA, seeking to relocate the inbound bus stop to the other side of the traffic light at Blue Course Drive and Circleville Road.*

XII. COMMUNICATIONS TO THE BOARD

XIII. CALENDAR ITEMS – March/April

1. Pine Grove Mills Small Area Plan Advisory Committee, March 23, April 27
2. Planning Commission, March 27
3. Parks & Recreation Committee, April 13
4. Planning Commission, April 10, 24
5. Tree Commission, April 17

XIV. ADJOURNMENT