

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Tuesday, April 19, 2022

7:00 PM

MEETING PARTICIPATION OPTIONS

VIRTUAL:

Join Zoom Meeting Link:

<https://us02web.zoom.us/j/87031665680>

Meeting ID: 870 3166 5680

[Zoom Access Instructions](#)

IN-PERSON:

Ferguson Township Municipal Building

Main Meeting Room

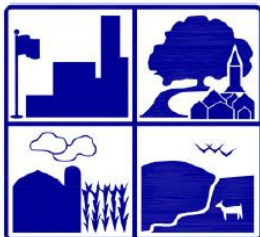
3147 Research Drive

State College, PA

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- I. CALL TO ORDER
 - II. CITIZENS INPUT
 - III. APPROVAL OF MINUTES
 - IV. AUTHORITIES, BOARDS, AND COMMISSION REPORTS
 - V. SPECIAL REPORTS
 - VI. COG REGIONAL REPORTS
 - VII. STAFF REPORTS
 - VIII. NEW BUSINESS
 1. Consent Agenda
 2. Police Week Proclamation
 3. Public Works Week Proclamation
 4. Bike Month Proclamation
 5. Arbor Day Proclamation
 6. Public Hearing Appointing the Township Manager
 7. Rescheduling Board Regular Meeting on May 17, 2022, to May 16, 2022
 8. Public Hearing Authorizing Township Manager to Submit Tourism Grant
 9. Centre Animal Veterinarian Hospital Land Development Plan
 10. Public Hearing on Conditional Use Application for Flag Lot at 103 Farmstead Lane
 11. Modifications/Waivers
 - a. Farmstead View Subdivision, Ch 22 – Tree Preservation and Protection
 - b. Modification/Waiver for Nittany Dental Associates, Ch 22 – General
 12. Award Contract 2021-C4, Harold Drive Improvements
 13. Award Contract 2022-C8, Pavement Markings
 14. Award Contract 2022-C1, Street Improvement Project (In-Town)
 15. Award Contract 2022-C2, Street Improvement Project
 - IX. COMMUNICATIONS TO THE BOARD
 - X. CALENDAR ITEMS
 - XI. ADJOURNMENT



Visit the Township's Web Site www.twp.ferguson.pa.us and sign up for *Notify Me!* to receive email notices about Township Information.



TOWNSHIP OF FERGUSON

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BOARD OF SUPERVISORS Regular Meeting Agenda Tuesday, April 19, 2022 7:00 p.m.

- I. **CALL TO ORDER**
- II. **CITIZEN'S INPUT** 5 minutes per resident
- III. **APPROVAL OF MINUTES**
 - a. April 5, 2022 Board of Supervisors Regular Meeting Minutes
- IV. **AUTHORITIES, BOARDS, AND COMMISSIONS REPORT**
- V. **SPECIAL REPORTS** 75 - 90 minutes
 - a. Diversity, Equity, and Inclusionary Initiatives – no report.
 - b. Township and Fiscal Responsibility – *Management Practices of Single Use Plastic Presentation, Lara Fowler; Refuse and Recycling Pilot Program by Eric Norenberg*
 - c. Community and Economic Development – no report.
 - d. Environment – *Climate Action Committee Presentation, Brandi Robinson*
- VI. **COG AND REGIONAL COMMITTEE REPORTS** 15 minutes
 - 1. **COG COMMITTEE REPORTS**
 - a. Human Resources Committee
 - b. Joint Meeting of Land Use and Community Infrastructure (LUCI) Committee and Centre Regional Planning Commission and report
 - c. Climate Action and Sustainability Committee
 - d. Finance Committee
 - e. Public Safety Committee – *cancelled*
 - f. Facilities Committee *report from April 5th Facilities meeting*
 - 2. **OTHER COMMITTEE REPORTS**
- VII. **STAFF REPORTS**
 - a. Interim Township Manager's Report
 - b. Public Works Director Report
 - c. Planning and Zoning Report
 - d. Chief of Police Report

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Treasurers Report-February 2022 *for acceptance*
- b. Special Events Permit Application - Stonebridge POA 4th of July Community Parade
- c. Acceptance of Jerry Learn Resignation

2. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVNIA PROCLAIMING MAY 15-21, 2022, AS POLICE OFFICERS WEEK IN FERGUSON TOWNSHIP

Centrice Martin, Interim Township Manager

5 minutes

Narrative

Provided with the agenda is a link to the draft Proclamation to officially recognizing May 15 through May 21, 2022, as Police Week in Ferguson Township.

[DRAFT POLICE WEEK PROCLAMATION](#)

Recommended Motion: That the Board of Supervisors adopt the proclamation designating May 15 through May 21, 2022, as Police Officers Week in Ferguson Township.

Staff Recommendation

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

3. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVNIA PROCLAIMING MAY 15 – 21, 2022 PUBLIC WORKS WEEK

5 minutes

Centrice Martin, Interim Township Manager

Narrative

Provided with the agenda is a link to the draft Proclamation officially recognizing May 15 through May 21, 2022, as Public Works Week in Ferguson Township.

[DRAFT PUBLIC WORKS WEEK PROCLAMATION](#)

Recommended motion: That the Board of Supervisors adopt the proclamation designating May 15 through May 21, 2022, as Public Works Week in Ferguson Township.

Staff Recommendation

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

4. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVNIA PROCLAIMING MAY 2022 BIKE MONTH

5 minutes

Centrice Martin, Interim Township Manager

Narrative

Ferguson Township supports the continued efforts of CentreBike and the Centre Regional Planning Agency to promote bicycle riding of all types of throughout the Centre Region. Ferguson Township recognizes that the bicycle is a healthy, convenient, financially, and environmentally sound form of transportation and an excellent tool for recreation, physical fitness enjoyment of Centre Count's scenic beauty, natural attractions and friendly

neighborhoods. The Ferguson Township Board of Supervisors supports designating May 2022 as “Bike Month”, May 16 through May 22, 2022 as “Bike-To-Work Week”, and May 20, 2022 as both “Bike-To-Work Day” and “Centre Region Spring Bike Anywhere Friday.”

DRAFT BIKE MONTH PROCLAMATION

Recommended Motion: That the Board of Supervisors adopt the proclamation designating May 2022 as “Bike Month”, May 16 through May 22, 2022, as “Bike-To-Work Week”, and May 20, 2022, as both “Bike-To-Work Day” and “Centre Region Spring Bike Anywhere Friday.”

Staff Recommendation

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

5. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA PROCLAIMING FRIDAY APRIL 29TH TO BE FERGUSON TOWNSHIP ARBOR DAY 5 minutes

Centrice Martin, Interim Township Manager

Narrative

Provided with the agenda is a link to the Proclamation designating Friday, April 29, 2022, as Arbor Day. Ferguson Township is home to plentiful greenspace and always aims to protect and honor the trees and woodlands of the Township. Please join the Township in celebrating Arbor Day’s 150th anniversary at Tom Tudek Memorial Park on Saturday, April 30, 2022, at 4:00 p.m. with the unveiling of a Pop-Up Arboretum along with [other activities](#) listed on our website.

DRAFT ARBOR DAY PROCLAMATION

Recommended motion: That the Board of Supervisors adopt the proclamation designating Friday, April 29, 2022, as Ferguson Township Arbor Day.

Staff Recommendation

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

6. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA FOR THE APPOINTMENT OF CENTRICE MARTIN AS FERGUSON TOWNSHIP MANAGER PURSUANT TO THE FERGUSON TOWNSHIP HOME RULE CHARTER, ARTICLE III, TOWNSHIP MANAGER; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; EFFECTIVE APRIL 19, 2022. 5 minutes

Laura Dininni, Supervisor

Narrative

The Board of Supervisors partnered with GovHR USA to initiate a national recruitment to interview professionals that have the desired experience, education, and skills to serve as the next Township Manager. The Board conducted a national search that yielded 23 resumes from 10 states, including Pennsylvania. The Board completed a competitive interview process to identify a new Ferguson Township Manager. The Board of Supervisors is excited to announce that Centrice Martin accepted the Board’s offer to serve as the Township Manager of Ferguson Township.

Recommended motion: Move that the Board of Supervisors adopt the resolution of the Township of Ferguson, Centre County, Pennsylvania for the Appointment of Centrice Martin as Ferguson Township Manager Pursuant to the Ferguson Township Home Rule Charter, Article III, Township Manager; Repealing all inconsistent resolutions or parts thereof; effective April 19, 2022.

Staff Recommendation

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

7. CONSIDERATION ON RESCHEDULING THE BOARD OF SUPERVISORS REGULAR MEETING ON TUESDAY, MAY 17, 2022, TO MONDAY, MAY 16, 2022. 5 minutes

Narrative

The Board of Supervisors is scheduled to meet on Tuesday, May 17, 2022, which is the Primary Election. The Board is being asked to consider rescheduling this meeting for Monday, May 16, 2022.

Recommended Motion: That the Board of Supervisors approve rescheduling the Regular Meeting scheduled for Tuesday, May 17, 2022, to Monday, May 16, 2022.

Staff Recommendation

That the Board of Supervisors **approve** rescheduling the 2nd meeting in May of 2022 to Monday, May 16, 2022.

8. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE TOWNSHIP MANAGER TO SUBMIT A TOURISM GRANT APPLICATION TO THE HAPPY VALLEY ADVENTURE BUREAU WITH MILLHEIM BOROUGH AND HARRIS TOWNSHIP FOR AN AGRITOURSIM EVENT. 10 minutes
Centrice Martin, Township Manager

Narrative

Provided with the agenda is a copy of the resolution advertised for public hearing authorizing the submission and matching funds for a grant application to the Happy Valley Adventure Bureau for a special event focused on agritourism in concert with Harris Township and Millheim Borough. If successful, the event would connect Millheim Borough, Harris Township and Ferguson Township establishments including 814 Cider Works and Pine Grove Hall for music and locally sources menu through self-guided tours participants can take throughout the week of the event. The resolution also authorizes a local match up to \$7,500 that would come from the Township's Economic Development account.

Recommended Motion: That the Board of Supervises adopt the resolution authorizing the Township Manager to authorize a local match up to \$7,500 and submit a Tourism Grant application to the Happy Valley Adventure Bureau for an agritourism event with Millheim Borough and Harris Township.

Staff Recommendation

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

9. CENTRE ANIMAL VETERINARIAN HOSPITAL LAND DEVELOPMENT PLAN 20 minutes
Jenna Wargo, Director of Planning and Zoning

Narrative

On September 24, 2022, ELA Group, Inc. submitted a Preliminary Land Development Plan on behalf of their client, Tussey Tracks, LLC. The parcel is located at 1518 West College Avenue (TP: 24-019-074-0000). This proposal is located in the Terraced Streetscape (TSD) Zoning District.

This land development plan proposes a 620 SF addition to the existing 5,551 SF building. The owner recently acquired the parcel to the east and consolidated the two lots to create a 0.937 acre lot allowing for parking to be expanded and reconfigured for better flow.

At the March 23, 2021, Zoning Hearing Board meeting, the Board granted variances from the following sections of the Township's Zoning Ordinance: §27-304.2.E.2, §27-803.1.B.1, §27-304.3.D.(1)(A) and §27-304.3.G.5. At the April 5, 2022, Board of Supervisors regular meeting, the Board granted a modification/waiver request from §22-5A09—Streetscape Design Standards.

Planning Commission reviewed the preliminary land development plan at the April 11, 2022, meeting and recommended approval of the preliminary pending outstanding staff comments that are provided with the agenda in the Director of Planning and Zoning's memorandum dated April 12, 2022.

Recommended Motion: That the Board of Supervisors approve the Centre Animal Veterinarian Hospital Preliminary Land Development Plan subject to the conditions described in the Director of Planning & Zoning memorandum dated April 12, 2022.

Staff Recommendation

That the Board of Supervisors **approve** the Centre Animal Hospital Preliminary Land Development Plan.

10.A PUBLIC HEARING ON A CONDITIONAL USE APPLICATION—FARMSTEAD VIEW SUBDIVISION

Jenna Wargo, Director of Planning and Zoning

25 minutes

Narrative

An application for a conditional use permit for the subdivision of a flag lot in the Farmstead View Subdivision Plan has been filed with the Township by Penn Terra Engineering on behalf of their client, Farmstead Developer, LLC. The developer proposes to subdivide a flag lot (103 Farmstead Lane, Lot 1, included in the agenda).

The Township's Zoning Ordinance and the Municipalities Planning Code require a public hearing on the application, and the Board of Supervisors must take action to approve or deny the application within 45 days following the hearing. As part of an approval, the Board may attach reasonable conditions and safeguards related to the conditional use standards detailed in the zoning ordinance.

The Board will now hold a public hearing on the application for a conditional use permit for the flag lot proposed on the Farmstead View Subdivision Plan. Chair, Laura Dininni, will conduct the hearing.

As part of the regular meeting agenda following the hearing, the Board will be asked to direct the Director of Planning & Zoning to prepare a written decision for review and consideration of approval at the May 3, 2022, regular meeting.

Recommended Motion: That the Board of Supervisors direct the Director of Planning & Zoning to present Findings of Fact and a written decision to the Board for consideration at the May 3 regular meeting.

Staff Recommendation

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

11. MODIFICATION/WAIVER REQUESTS

45 minutes

Jenna Wargo, Director of Planning and Zoning

a. FARMSTEAD VIEW SUBDIVISION PLAN - §22-515.D.2.

Narrative

Penn Terra Engineering, Inc., on behalf of their client, has requested a modification from §22-515.D.2.—Tree Preservation and Protection. This section of the ordinance requires the applicant to preserve 20% of existing, eligible tree canopy on site. Eligible trees include trees in good condition (as determined by the Township Arborist), native species, and if the preservation of a tree renders the lot undevelopable. The applicant is proposing to subdivide this lot into six (6) residential lots and one stormwater management lot.

The applicant is proposing to preserve 17.3% of the existing tree canopy and remediation for the remaining 2.7%. The remediation proposes the installation of seven new trees in the proposed residential lots and when planted, these trees will meet the required 20% of coverage and when fully grown exceed the 20% requirement.

The Ferguson Township Tree Commission reviewed the subdivision plan and is recommending the applicant preserve the 27' Red Pine to meet the 20% requirement.

Planning Commission reviewed this request at the April 11, 2022, regular meeting and recommended the Board approve the request.

Recommended Motion: That the Board of Supervisors deny the modification/waiver request from §22-515.D.2.—Tree Preservation and Protection.

Staff Recommendation

That the Board of Supervisors **deny** the modification/waiver request.

b. NITTANY DENTAL ASSOCIATES - §22-301—GENERAL.

Narrative

Penn Terra Engineering, Inc., on behalf of their client, has requested a waiver from §22-301—General. This section of the ordinance defines the subdivision and land development review process and requires certain proposals to proceed as a preliminary, and final land development plan, preliminary/final land development plan, or a minor alteration plan.

The applicant recently acquired the former First National Bank building, located at 2591 Park Center Boulevard (TP: 24-465-001-0000). The applicant is proposing to convert the three existing drive-thru lanes and enlarge that space for a total of 1,603 SF. The final SF for the addition would increase the building coverage from 5,124 SF to 6,727 SF.

The applicant is proposing to have their plan processed as a Minor Land Development Plan. Chapter §22-306.3 (as amended by Ord. 1076, 3/15/22) outlines criteria for a plan to be considered as a Minor Land Development Plan.

Planning Commission reviewed the request at the April 11, 2022, regular meeting. They recommended to the Board of Supervisors granting of the application and recommended the plan proceed as a Minor Land Development Plan.

Recommended Motion: That the Board of Supervisors grant the modification/waiver request and allow the plan to proceed as a Minor Land Development Plan per §22-306.3.

Staff Recommendation

That the Board of Supervisors **grant** the modification/waiver request.

12. CONTRACT 2021-C4 - HAROLD DRIVE

5 minutes

David Modricker, Director of Public Works

Narrative

On April 5, 2022, bids were opened publicly and read aloud for contract 2021-C4. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves reconstruction, drainage, and paving of a section of Harold Drive. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 6, 2022, recommending award of the contract.

Recommend Motion: That the Board of Supervisors award Contract 2021-C4, Harold Drive Improvements, to Mid-State Paving and Excavation in accordance with their bid for \$80,520.50.

Staff Recommendation

That the Board of Supervisors award Contract 2021-C4 to Mid-State Paving and Excavation.

13. CONTRACT 2022-C8 - PAVEMENT MARKINGS

5 minutes

David Modricker, Director of Public Works

Narrative

On March 8, 2022, bids were opened publicly and read aloud for contract 2022-C8. The bid was advertised in the Centre Daily Times and was sent to potential bidders. The contract involves painting lines and legends on Township roads, as well as paint eradication as needed in advance of microsurfacing. The bid was over budget and a plan has been developed to manage costs within the budget. About a dozen other municipalities piggybacked on this contract and issued separate purchase orders for their share of the work. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 13, 2022, recommending award of the contract.

Recommend Motion: That the Board of Supervisors award Contract 2022-C8, Pavement Markings, to Alpha Space Control Company, in the amount of \$429,077.29, and that staff manage the contract within the budgeted amount.

Staff Recommendation

That the Board of Supervisors **award** Contract 2022-C8 to Alpha Space Control Company.

14. CONTRACT 2022-C1 - STREET IMPROVEMENT PROJECT

15 minutes

David Modricker, Director of Public Works

Narrative

On April 12, 2022, bids were opened publicly and read aloud for contract 2022-C1 Street Improvement Projects (in town). This contract includes primarily paving and some related curb, stormwater, and ancillary improvements to (or sections of) the following roads: W. Aaron Drive, N. Allen Street, Circleville Road, Park Crest Lane, Research Drive, and Sleepy Hollow Drive. The bid was advertised in the Centre Daily Times and was sent to potential bidders. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 12, 2022, recommending award of the contract.

Recommend Motion: That the Board of Supervisors award Contract 2022-C1, Street Improvement Projects (in town), to Glenn O Hawbaker, Inc. in the amount of \$793,174.25.

Staff Recommendation

That the Board of Supervisors **award** Contract 2022-C1 (in-town) to Glenn O Hawbaker.

15. CONTRACT 2022-C2 - STREET IMPROVEMENT PROJECT

5 minutes

David Modricker, Director of Public Works

Narrative

On April 12, 2022, bids were opened publicly and read aloud for contract 2022-C2 Street Improvement Projects (west end). This contract includes primarily paving and some related stormwater, and ancillary improvements to Marengo Road, Oak Glenn Road, W. Whitehall Road from Tadpole Road through the Meadows, and Old Gatesburg Road from Science Park Road to Nixon Road. The bid was advertised in the Centre Daily Times and was sent to potential bidders. Provided with the agenda is a memorandum from Ryan Scanlan, Assistant Township Engineer, dated April 13, 2022, recommending award of the contract. The bid included a base bid and alternate bid.

Recommend Motion: That the Board of Supervisors award Contract 2022-C2, Street Improvement Projects (west end), to Glenn O Hawbaker, Inc., in the amount of \$1,102,807.45 to include both the base and alternate bids.

Staff Recommendation

That the Board of Supervisors **award** Contract 2022-C2 to Glenn O Hawbaker.

X. COMMUNICATIONS TO THE BOARD

XI. CALENDAR ITEMS –April/May

- a. Arbor Day Event, April 30
- b. Ferguson Township Upcoming Meetings
 1. Planning Commission, April 25, May 9 & 23
 2. Parks & Recreation Committee, May 12
 3. Tree Commission, May 16
 4. Pine Grove Mills Small Area Advisory Committee, April 28, May 26

XII. ADJOURNMENT