

**FERGUSON TOWNSHIP BOARD OF SUPERVISORS**  
**Regular Meeting Agenda**  
**Monday, May 18, 2020, 7:00 PM**

Join Zoom Meeting:

<https://us02web.zoom.us/j/81052333009>

Meeting ID: 810 5233 3009

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Dial In: (814) 238-4651, extension 3799

**I. CALL TO ORDER**

**II. CITIZENS INPUT**

**III. APPROVAL OF MINUTES**

1. May 4, 2020, Board of Supervisors Regular Meeting

**IV. SPECIAL REPORTS**

- a. COVID-19 (Coronavirus) Response Report

**V. UNFINISHED BUSINESS**

1. Public Hearing – Ordinance, Parking Prohibited At All Times In Certain Locations
2. Public Hearing – Ordinance, Stop Intersections Established
3. Authorization to advertise a public hearing on a conditional use application – Orchard View Subdivision

**VI. NEW BUSINESS**

1. Consent Agenda
2. Public Hearing – Resolution authorizing submittal of a DUI Enforcement Grant Application
3. Proclamation – Congratulating the State College Area School District Class of 2020
4. Request for Economic Development Funding – Pine Grove Mills Farmer's Market
5. Discussion – COG Greenhouse Gas Emissions Reduction Resolution
6. Discussion – COG Committee on Climate Action and Comprehensive Review of COG Committees

**VII. REPORTS**

1. COG Committee Reports
2. Other Regional Reports
3. Staff Reports

**VIII. COMMUNICATIONS TO THE BOARD**

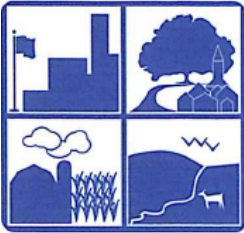
**IX. CALENDAR ITEMS – MAY/JUNE**

1. CATA Public Hearing Proposed Fare Increase and Service Changes

**X. ADJOURNMENT**



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# TOWNSHIP OF FERGUSON

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## Board of Supervisors Regular Meeting Agenda Monday, May 18, 2020 7:00 P.M.

### I. CALL TO ORDER

### II. CITIZEN'S INPUT

### III. APPROVAL OF MINUTES

1. May 4, 2020, Board of Supervisors Regular Meeting Minutes

### IV. SPECIAL REPORTS

5 minutes

1. COVID-19 (Coronavirus) Response Report – David Pribulka, Township Manager

### V. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES CHAPTER 15, MOTOR VEHICLES AND TRAFFIC; PART 4, GENERAL PARKING REGULATIONS; SECTION 403, PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS.**

10 minutes

#### **Narrative**

Provided with the agenda is a copy of the ordinance advertised for public hearing and adoption this evening. At the Regular Meeting on April 20th, the Board of Supervisors authorized advertisement of an ordinance for public hearing which, if adopted, would provide parking restrictions at two locations: East Pine Grove Road and Johnson Road as stated below.

- Staff received a complaint about blocked sight distance from a resident when pulling out of his driveway at 151 East Pine Grove Road. Engineering staff conducted a sight distance study and found a large vehicle with trailer blocking the sight distance. Staff recommended advertising a public hearing for an ordinance to restrict parking on a section of East Pine Grove Road near 151 East Pine Grove Road.
- Staff received a complaint about blocked sight distance from a resident when pulling out of Johnson Road onto Whitehall Road. Engineering staff conducted a sight distance study and found a large vehicle with trailer blocking the sight distance. Staff recommended advertising a public hearing for an ordinance to restrict parking on a section of Whitehall Road near Johnson Road.

*Recommended Motion: That the Board of Supervisors adopt the ordinance amending the Code of Ordinances Chapter 15, Motor Vehicles and Traffic; Part 4, General Parking Regulations; Section 403, Parking Prohibited At All Times In Certain Locations.*

**Staff Recommendation**

That the Board of Supervisors *adopt the ordinance.*

- 2. A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES CHAPTER 15, MOTOR VEHICLES AND TRAFFIC; PART 2, TRAFFIC REGULATIONS; SECTION 215, STOP INTERSECTIONS ESTABLISHED. 10 minutes**

**Narrative**

At the Regular Meeting on April 20<sup>th</sup>, the Board of Supervisors authorized advertisement of an ordinance for public hearing which, if adopted, would establish a stop intersection at Curtin Street, southbound, and Clinton Avenue. This was recommended following a “near miss” between a bicycle and a motor vehicle that was reported to staff. Ron Seybert, Township Engineer, completed an intersection study. In his judgement, to better establish the right-of-way at this intersection, the southbound Curtin Street approach should be signed with a “STOP” sign and a supplemental “Except Right Turn” placard. Provided with the agenda is a copy of the ordinance advertised for public hearing and adoption this evening.

*Recommended Motion: That the Board of Supervisors adopt the ordinance amending the Code of Ordinances Chapter 15, Motor Vehicles and Traffic; Part 2, Traffic Regulations; Section 215, Stop Intersections Established.*

**Staff Recommendation**

That the Board of Supervisors *adopt the ordinance.*

- 3. AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A CONDITIONAL USE APPLICATION SUBMITTED BY ASPEN WHITEHALL PARTNERS, LLC & ASPEN ROUTE 26 PARTNERS, LLC FOR THE ORCHARD VIEW SUBDIVISION. 10 minutes**

**Narrative**

On April 27, 2020, Penn Terra Engineering submitted a conditional use application for the Orchard View Subdivision Plan at the corner of West College Avenue and West Whitehall Road on behalf of their client, Aspen Whitehall Partners, LLC. The Orchard View Subdivision Plan consists of 37 lots including 36 single-family residential lots and one lot dedicated as a stormwater basin. The application is to request a flag lot parcel for Lot #37, the stormwater basin.

The Zoning Ordinance requires that all lots have appropriate street frontage determined by the zoning district. Orchard View is zoned Single-Family Residential (R-1) and the minimum required lot width at street line is fifty (50) feet. The applicants are requesting conditional use approval to allow Lot #37 to have less than the required fifty (50) feet and are proposing a lot width for Lot #37 at street line to be twenty (20) feet as shown on the approved subdivision plan.

The Zoning Ordinance does permit the Board of Supervisors to approve a lot width of less than the required minimum width as a flag lot. The memorandum included in the agenda from the Zoning Administrator, dated May 6, 2020, lists the four conditions that the Board of Supervisors should consider when reviewing a conditional use application for a flag lot. The Planning Commission reviewed the Conditional Use Application at their May 11, 2020, meeting and recommended approval to the Board of Supervisors pending the conditions listed in Planning & Zoning Director memorandum dated May 12, 2020. A copy of the memorandum and conditional use application have been provided with the agenda.

*Recommended Motion: That the Board of Supervisors authorize advertisement of a public hearing on the conditional use application for the Orchard View Subdivision for June 1, 2020.*

**Staff Recommendation**

That the Board of Supervisors **authorize** advertisement of a public hearing on the conditional use application for June 1, 2020.

**VI. NEW BUSINESS**

**4. CONSENT AGENDA**

5 minutes

- a. Acceptance of the March 2020 Treasurer's Report

- 5. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A GRANT FROM THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR THE 2021-2022 CENTRE COUNTY SOBRIETY CHECKPOINT AND EXPANDED DUI ENFORCEMENT PROGRAM; AND AUTHORIZING THE TOWNSHIP MANAGER TO SIGN ALL DOCUMENTS RELATED TO THE GRANT ON BEHALF OF THE TOWNSHIP.**

10 minutes

**Narrative**

Provided with the agenda is a copy of the resolution authorizing the submission of the 2021-2022 Centre County Highway Safety Enforcement Grant Application. The grant encompasses funding for DUI enforcement, Aggressive Driving, Occupant Protection enforcement and Pedestrian Safety initiatives (Pedestrian is State College Borough only). The grant will provide funding for enforcement activities in Ferguson Township, Patton Township, Spring Township, State College Borough and the Centre County Sheriff's Department.

PennDOT has restructured the grant program to centralize grant management. The consolidated grant model will be implemented throughout the state. Our county has been selected as a test group for the new program. The grant will span two years. PennDOT is strictly using crash data, not regional attractions or special events, to allocate funding. The local grant funding has been significantly reduced. As a comparison, in 2019, the regional traffic safety grants were \$84,926 and under the new program the funding will be \$42,655.

The most recent program statistics from the 2019-2020 grant period show that DUI enforcement efforts have resulted in contact with 29,442 citizens through a combination of DUI checkpoints, public awareness details and roving patrols. These contacts have resulted in 45 arrests for driving under the influence, 18 citations for underage drinking, 143 miscellaneous traffic citations, 17 non-traffic citations for criminal acts such as disorderly conduct, public drunkenness and trespassing, 10 criminal arrests for violations such as drug possession and weapons violations and 1,047 warnings.

*Recommended Motion: That the Board of Supervisors adopt the resolution authorizing the submission of an application for a grant from the Pennsylvania Department of Transportation for the 2021-2022 Centre County Sobriety Checkpoint and Expanded DUI Enforcement Program; and authorizing the Township Manager to sign all documents related to the grant on behalf of the Township.*

**Staff Recommendation**

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

- 6. A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA CONGRATULATING THE STATE COLLEGE AREA SCHOOL DISTRICT CLASS OF 2020 AND OTHER AREA GRADUATES ON AN EXEMPLARY ACADEMIC CAREER.**

10 minutes

**Narrative**

Provided with the agenda is a copy of a proclamation recognizing and honoring the achievements of the State College Area School District Class of 2020 and other area graduates in advance of the upcoming graduation ceremonies. Due to the COVID-19 pandemic, regional graduation ceremonies have been modified to take place in a virtual environment, and it is the intent of this proclamation to demonstrate the support of the Board of Supervisors and appreciation for their willingness to cancel the in-person ceremonies for the good of community health and safety.

*Recommended motion: That the Board of Supervisors adopt the proclamation congratulating the State College Area School District Class of 2020 and other area graduates on an exemplary academic career.*

**Staff Recommendation**

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

**7. REQUEST FOR ECONOMIC DEVELOPMENT FUNDING - PINE GROVE MILLS FARMER’S MARKET**

10 minutes

**Narrative**

The Board of Supervisors has appropriated funding to support local and regional economic development initiatives in its 2020 Operating Budget. Since 2018, the Board has provided financial assistance to the Pine Grove Mills Farmer’s Market located in the parking lot of St. Paul Lutheran Church in Pine Grove Mills. In 2020, the Market Steering Committee is requesting \$3,000.00 from the Township’s economic development account to assist in offsetting their operational expenses for the upcoming season. A representative from the Pine Grove Mills Farmer’s Market will be in attendance to present the request and answer any questions the Board may have.

*Recommended motion: That the Board of Supervisors authorize the appropriation of \$3,000.00 from the Township’s Economic Development account to the Pine Grove Mills Farmer’s Market.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the appropriation of \$3,000.00 to the Pine Grove Mills Farmer’s Market.

**8. CENTRE REGION COUNCIL OF GOVERNMENTS – GREENHOUSE GAS EMISSIONS REDUCTION RESOLUTION DISCUSSION**

10 minutes

**Narrative**

Provided with the agenda is a copy of a draft resolution prepared by Pam Adams, Centre Region Sustainability Coordinator and the Technical Advisory Group establishing greenhouse gas emissions reduction goals for the Centre Region. The purpose of the resolution is to “guide the creation of a climate action and adaptation plan” that would be developed and implemented by the member municipalities. Ferguson Township has already adopted Resolution 2017-14, effectively committing the Township to achieving net-zero greenhouse gas emissions by 2050 in a manner that is fair, transparent, and economically feasible. The COG Public Services and Environmental Committee has requested feedback from member municipalities in advance of their June 2<sup>nd</sup> meeting. More information is provided by visiting the link below:

[Centre Region Council of Governments – Climate Action Goals](#)

*Recommended motion: That the Board of Supervisors direct the Township Manager to forward its comments on the draft COG Greenhouse Gas Emissions Reduction Resolution to the Centre Region Sustainability Coordinator by June 2, 2020.*

**Staff Recommendation**

That the Board of Supervisors *review and comment* on the DRAFT COG Greenhouse Gas Emissions Reduction Resolution.

**9. CONSIDERATION OF THE ESTABLISHMENT OF A COG COMMITTEE ON CLIMATE ACTION AND SUSTAINABILITY AND A COMPREHENSIVE REVIEW OF THE COG COMMITTEE STRUCTURE** 20 minutes

**Narrative**

Provided with the agenda is a memorandum from Eric Norenberg, COG Executive Director and Jim May, Centre Regional Planning Agency Director, summarizing a proposed establishment of a COG Climate Action and Sustainability Committee and comprehensive review of COG committee responsibilities and assignments. The COG Executive Committee has asked each municipality to provide their initial feedback and comments to their representative on the Committee in advance of their May 19<sup>th</sup> meeting. Any comments the Board has may be provided to Mr. Miller to deliver to the COG Executive Committee.

**Staff Recommendation**

That the Board of Supervisors *comment* on the proposal to establish a COG Committee on Climate Action and Sustainability and to conduct a comprehensive review of COG Committee responsibilities and assignments.

**VII. STAFF AND COMMITTEE REPORTS**

1. **COG COMMITTEE REPORTS** 25 minutes
  - a. Ad Hoc Facilities Committee
  - b. Human Resource Committee
  - c. Public Services & Environmental Committee
  - d. Finance Committee
  - e. Public Safety Committee
2. **OTHER COMMITTEE REPORTS** 5 minutes
3. **STAFF REPORTS** 20 minutes
  - a. Manager's Report
  - b. Public Works Director
  - c. Planning & Zoning Director
  - d. Chief of Police

**VIII. COMMUNICATIONS TO THE BOARD**

**IX. CALENDAR ITEMS – MAY/JUNE**

1. CATA Public Hearing Proposed Fare Increase and Service Changes

**X. ADJOURNMENT**