

**FERGUSON TOWNSHIP BOARD OF SUPERVISORS**

**Regular Meeting Agenda**

**Tuesday, August 2, 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

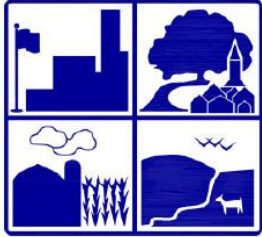
3147 Research Drive

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. UNFINISHED BUSINESS**
    1. Minor Land Development Plan – Sidewalk Construction for 165 Volos Lane
    2. Discussion – Authorize Public Hearing on Township’s Draft 2023-2027 Township CIP Budget
    3. Discussion – Proposed Diversity, Equity, and Inclusion Calendar
  - IX. NEW BUSINESS**
    1. Consent Agenda
    2. Board Member Request – Proclamation on Gun Safety and Gun Violence Prevention
    3. Zoning Officer Determination Appeal Hearing – Nixon Road
    4. Discussion on Partial Exemption - Stormwater Agricultural Exemption Resolution
  - X. COMMUNICATIONS TO THE BOARD**
  - XI. CALENDAR ITEMS**
  - XII. ADJOURNMENT**



Visit the Township's Web Site [www.twp.ferguson.pa.us](http://www.twp.ferguson.pa.us) and sign up for *Notify Me!* to receive email notices about Township Information.



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# TOWNSHIP OF FERGUSON

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## BOARD OF SUPERVISORS

### Regular Meeting Agenda

Tuesday, August 2, 2022

7:00 p.m.

- I. **CALL TO ORDER**
- II. **CITIZEN'S INPUT** 5 minutes per resident
- III. **APPROVAL OF MINUTES**
  - 1. July 19, 2022 Board of Supervisors Regular Meeting Minutes
- IV. **AUTHORITIES, BOARDS, AND COMMISSIONS REPORT** 10 minutes
  - 1. Schlow Centre Region Library
  - 2. Parks & Recreation Authority cancellation notice
- V. **SPECIAL REPORTS** 15 minutes
  - 1. Diversity, Equity, and Inclusionary Initiatives – no report.
  - 2. Township and Fiscal Responsibility – Financial 2<sup>nd</sup> Quarterly Reports, Finance and Tax Director Eric Endresen
  - 3. Community and Economic Development – no report.
  - 4. Environment – no report.
- VI. **COG AND REGIONAL COMMITTEE REPORTS** 20 minutes
  - 1. **COG COMMITTEE REPORT**
    - a. Parks and Recreation Governance Committee
  - 2. **OTHER COMMITTEE REPORTS**
    - a. Spring Creek Watershed Commission
- VII. **STAFF REPORTS**
  - 1. Township Manager's Report
  - 2. Public Works Director Report
  - 3. Planning and Zoning Report
- VIII. **UNFINISHED BUSINESS**
  - 1. **MINOR LAND DEVELOPMENT PLAN FOR SIDEWALK CONSTRUCTION – 165 VOLOS LANE**  
*Jenna Wargo, Director of Planning and Zoning* 15 Minutes

#### **Narrative**

On June 3, 2022, Albert Drobka submitted a Minor Land Development Plan on behalf of his client, Ryan Dimakopoulos. The parcel is located at 296 West Pine Grove Road (TP:

24-007-016-0000) and is zoned Rural Residential (RR). This tabled discussion was brought before the Board of Supervisors from the previous regular meeting.

The parcel is 19.96-acres and the applicant is proposing to construct a second residential home on the lot. Chapter 22, Section 512.1.D. requires the Board of Supervisors to determine if sidewalks are required to be installed on properties within the RR zoning district.

Provided in the agenda packet is a copy of the proposed Minor Land Development Plan, a sidewalk map of Pine Grove Mills, an aerial image of the property, neighboring properties, and a Google Street View image. The Board of Supervisors is being asked to review the provided materials and determine if sidewalks should be constructed along the property fronting West Pine Grove Road.

The Planning Department met with Township Engineering to discuss the installation of the sidewalk along 165 Volos Lane, the Pine Grove Mills Small Area Plan, newly awarded grants and the projects resulting from those grants in relation to pedestrian connectivity and staff is recommending that the sidewalk not be installed at this time unless the Board is considering sidewalk installation from Deepwood Drive to 165 Volos Lane to have a logical termination of the sidewalk.

Whether the Board of Supervisors requires the applicant to install sidewalks now, or when the rest of this corridor is connected to the existing infrastructure in Pine Grove Mills, both instances will be at the expense of the property owner.

*Recommended Motion 1: That the Board of Supervisors **does not require** the construction of sidewalks along the property fronting West Pine Grove Road.*

*Recommended Motion 2: That the Board of Supervisors **approve** the construction of sidewalks along the property fronting West Pine Grove Road.*

**2. DISCUSSION AND AUTHORIZATION OF A PUBLIC HEARING ON THE DRAFT 2023 – 2027 FERGUSON TOWNSHIP CAPITAL IMPROVEMENT PROGRAM BUDGET** 75 minutes  
*Centrice Martin, Township Manager & Eric Endresen, Director of Finance*

**Narrative**

As provided in Chapter One, Administration and Government, Section 902 of the Ferguson Township Code of Ordinances, the Township Manager shall submit a five-year Capital Improvement Program Budget to the Board of Supervisors annually. The DRAFT 2022 – 2026 Capital Improvement Program (CIP) Budget includes a summary of major Township expenditures proposed across each department for five fiscal years. Capital items are generally defined as any item costing over \$2,500 and having a projected useful life of one year or more. It is important to note the Capital Improvement Program serves as a plan for budgeting, but it is not a budget. Rather, it is meant to serve as a tool to help guide the Township in its planning for largescale expenditures to better ensure financial resiliency. A link to the current draft can be found below the narrative. The Board conducted Special Meetings on July 20<sup>th</sup> and 21<sup>st</sup>, and staff recorded comments, questions, and items requested to be flagged by Board members. Provided with the agenda packet are written responses and comments per discussion held at the special meetings. Staff is prepared to answer additional questions as the Board discusses the CIP comments and flagged items.

Centrice Martin, Township Manager will introduce the CIP, and Eric Endresen, Director of Finance and Tax will provide a short presentation summarizing its contents. This evening, the Board is being asked to review the document, direct staff to make any final changes, and authorize the advertisement of a public hearing on the 2023 – 2027 Capital Improvement Program Budget for Tuesday, August 16<sup>th</sup>. Staff recommends the Board make a motion for each requested change to the DRAFT 2023 – 2027 CIP version uploaded to the Township’s website on July 1, 2022.

- [2023-2027 Capital Improvement Plan Draft](#)

*Recommended motion: That the Board of Supervisors authorize the advertisement of a public hearing on the 2023 – 2027 Ferguson Township Capital Improvement Program Budget for Tuesday, August 16, 2022.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the public hearing for August 16.

- 3. CONTINUED DISCUSSION ON PROPOSED DIVERSITY, EQUITY, AND INCLUSION CALENDAR**  
*Centrice Martin, Township Manager* 5 minutes

**Narrative**

Introduced to the Board of Supervisors at their Regular Meeting held on July 19, 2022, was an initial draft of the Ferguson Township Diversity, Equity, and Inclusion Calendar for the Board’s consideration. The calendar has been updated based on comments staff received from the Board. Staff recommends the calendar items be recognized and announced on future meeting agendas, specifically in the special report section as part of the diversity, equity, and inclusionary initiatives category and mentioned in Township digital publications.

*Recommended Motion: That the Board of Supervisors establish its Diversity, Equity, and Inclusion Calendar for the remainder of 2022.*

**IX. NEW BUSINESS**

- 1. CONSENT AGENDA** 5 minutes
- a. June Treasurer’s Report *for acceptance*
  - b. Contract 2021-C4 Harold Drive Improvements, Pay App 1: \$76,983.93
  - c. Sponsorship Request – Ferguson Township Elementary PTO
  - d. Board Member Request – Black August Proclamation
  - e. Board Member Request – Elements of Current Sign and Zoning Ordinances
- 2. BOARD MEMBER REQUEST – PROCLAMATION ON GUN SAFETY AND GUN VIOLENCE PREVENTION** 10 minutes  
*Patty Stephens, Supervisor*

**Narrative**

In the last five (5) years, there has been an increase in mass shootings. Medical communities have identified gun violence as a public health epidemic. The ripple effect of the trauma of gun violence affects all our communities. The goal is to encourage



conversations and education about safe firearm storage. Provided with the agenda packet is a draft proclamation.

*Recommended Motion: That the Board of Supervisors adopt the proclamation.*

**Staff Recommendation**

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

**3. ZONING OFFICER DETERMINATION APPEAL HEARING - NIXON ROAD, 24-003-007M-0000**

*Jenna Wargo, Director of Planning and Zoning*

10 minutes

**Narrative**

On June 29, 2022, C. Anthony Fruchtl, Penn Terra Engineering, Inc., submitted an application for an appeal hearing at 24-003-007M-0000, on behalf of the property owner, Lindsey Kiefer. The property is zoned Rural Agriculture (RA), and the applicant is appealing the Zoning Administrator's application of the Riparian Buffer Overlay Zoning District regulations. The Zoning Administrator has determined that a landfill site is not a permitted use within the Riparian Buffer and as a result, denied the Zoning Permit Application.

*Recommended Motion: That the Board of Supervisors remain neutral on the appeal hearing.*

**Staff Recommendation**

That the Board of Supervisors **remain neutral** on the appeal hearing.

**4. DISCUSSION ON THE PARTIAL EXEMPTION FOR AGRICULTURAL PROPERTIES FROM THE FERGUSON TOWNSHIP STORMWATER MANAGEMENT UTILITY FEE**

*Centrice Martin, Township Manager*

20 minutes

**Narrative**

At a Regular Meeting held on February 16, 2021, the Board of Supervisors adopted by resolution a partial exemption for agricultural properties from the Township's Stormwater Management Utility Fee. This policy states that it is for qualified properties that meet the definition of *agricultural use* as defined in the Pennsylvania Farmland and Forest Land Protection Act of 1974. The policy would impose a maximum fee assessed on eligible properties of twice the median assessment imposed on all properties in the Township. For the purposes of the billing unit methodology applied, this would equate to two (2) Equivalent Residential Units (ERUs) for agricultural properties. Any dwelling units on the property would be assessed in addition to the two (2) ERUs charged to the agricultural property. The policy adopted by the resolution requires an annual submission for the partial exemption for agricultural properties to be eligible based on approval. Staff recommends the Board of Supervisors discuss the policy with consideration to the low frequency of changes made to agricultural properties.

*Recommended Motion: That the Board of Supervisors direct staff to amend the policy for the Board to review at the August 16, 2022, Board's regular meeting.*

**Staff Recommendation**

That the Board of Supervisors **discuss** the partial exemption policy for agricultural properties from the stormwater management utility fee.

**X. COMMUNICATIONS TO THE BOARD**

**XI. CALENDAR ITEMS – July/August**

- a. Planning Commission, August 8, 22
- b. Pine Grove Mills SAP Advisory Committee, August 25
- c. Route 45 Getaways Week through August 7
- d. Municipal Mixer: Greenbriar/Saybrook Park Master Planning and Bike Safety Education Event, August 3
- e. Tree Commission, August 15
- f. Parks and Recreation Committee, August 11
- g. Pine Grove Mills Farmers Market, every Thursday throughout the Summer
  - i. Child Seat Safety Check by Ferguson Township Police Department, August 4
- h. TSD Public Input Meeting, August 31

**XII. ADJOURNMENT**