#### FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda Tuesday September 7, 2021, 7:00 PM

#### **Hybrid Meeting**

#### **REMOTE PARTICIPANTS:**

Join Zoom Meeting:

https://us02web.zoom.us/j/83838226462

Meeting ID: 838 3822 6462 Zoom Access Instructions

**IN-PERSON PARTICIPANTS:** 

Ferguson Township Municipal Building

Main Meeting Room 3147 Research Drive State College, PA

#### I. CALL TO ORDER

- II. PLEDGE OF ALLEGIANCE
- III. SWEARING IN OF WARD II SUPERVISOR
- IV. CITIZENS INPUT
- V. APPROVAL OF MINUTES
  - 1. August 16, 2021 Board of Supervisors Regular Meeting Minutes

#### VI. SPECIAL REPORTS

- a. University Area Joint Authority
- b. 2<sup>nd</sup> Quarter Finance Report
- c. Gypsy Moth Abatement

#### VII. UNFINISHED BUSINESS

- 1. Public Hearing 2022 2026 Capital Improvement Program Budget
- 2. Public Hearing Pine Hall Land Use Appeals Settlement Agreement
- 3. Conditional Use Permit Addendum 1445 West College Avenue
- 4. Recreation, Parks, and Open Space Plan Contract Addendum Park Master Plans
- 5. Award of Regional Solar Power Purchase Agreement Consulting Services
- 6. Ferguson Township Official Map Discussion
- 7. Draft Ordinance Amendment Turf Grass, Weeds, & Other Vegetation

#### **VIII. NEW BUSINESS**

- 1. Consent Agenda
- 2. Public Hearing Conditional Use Application, 1350 Greenwood Circle
- 3. Public Hearing Act 537 Sewage Facilities Plan Update Resolution
- 4. Citizen's Right To Be Heard Reimagine Appalachia Climate Action Strategy
- 5. Windstream D & E, Inc. Franchise Fee Renewal and Audit Authorization
- 6. Board Member Request Noise Ordinance Amendment
- 7. Meeting Format Discussion
- IX. REPORTS
- X. COMMUNICATIONS TO THE BOARD
- XI. CALENDAR ITEMS SEPTEMBER
- XII. ADJOURNMENT





### TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801 Telephone: 814-238-4651 • Fax: 814-954-7642 www.twp.ferguson.pa.us

#### **BOARD OF SUPERVISORS**

Regular Meeting Agenda Tuesday, September 7, 2021 7:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. SWEARING IN OF PAM STECKLER AS WARD II SUPERVISOR
- IV. CITIZEN'S INPUT
- V. APPROVAL OF MINUTES
  - 1. August 16, 2021 Board of Supervisors Regular Meeting Minutes
- VI. SPECIAL REPORTS

30 minutes

- 1. University Area Joint Authority Mark Kunkle
- 2. 2<sup>nd</sup> Quarter Financial Report Eric Endresen, Director of Finance
- 3. Gypsy Moth Abatement David Pribulka, Township Manager

#### VII. UNFINISHED BUSINESS

1. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING THE 2022 – 2026 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET.

David Pribulka, Township Manager

#### **Narrative**

At the August 2<sup>nd</sup> Regular Meeting the Board authorized a public hearing on the 2022 – 2026 Capital Improvement Plan (CIP). The CIP was presented by the Township Manager and reviewed by the Board of Supervisors at two public special meetings, as well as a hybrid road tour. Changes that have been made by the Board at the special meetings and August 2<sup>nd</sup> have been incorporated into the document. Provided with the agenda is a copy of the resolution as advertised for Public Hearing. A link to the revised 2022 – 2026 CIP is provided below the narrative.

#### 2022 - 2026 Capital Improvement Program Budget

Recommended motion: That the Board of Supervisors adopt the resolution for the 2022 – 2026 Capital Improvement Program Plan (CIP).

#### **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, APPROVING A SETTLEMENT AGREEMENT WITH RESIDENTIAL HOUSING LAND, LLC AND RESIDENTIAL HOUSING DEVELOPMENT, LLC TO RESOLVE PENDING LITIGATION IN THE CENTRE COUNTY COURT OF COMMON PLEAS DOCKETS #19-3373, 19-3374, AND 19-3395.

David Pribulka, Township Manager

#### **Narrative**

Provided with the agenda is a copy of the settlement agreement involving multiple parties concerning the Pine Hall Traditional Town Development land use appeals. David Pribulka, Township Manager, will introduce the item.

Recommended motion: That the Board of Supervisors adopt the resolution approving a settlement agreement with Residential Housing Land, LLC and Residential Housing Development, LLC to resolve pending litigation in the Centre County Court of Common Pleas Dockets #19-3373, 19-3374, and 19-3395.

#### Staff Recommendation

That the Board of Supervisors *adopt* the resolution

3. CONDITIONAL USE PERMIT ADDENDUM — 1445 WEST COLLEGE AVENUE 10 minutes Jenna Wargo, Director of Planning & Zoning

#### **Narrative**

An application for a conditional use permit for the use of property located 1445 West College Avenue as a Golf Course Maintenance Facility and Mixed Martial Arts Studio has been filed with the Township by the property owners, Penn State University. The applicant proposes to continue the conditional uses currently operating at the site in accordance with §27-304.2.E,(1) and (2). The Township's Zoning Ordinance and the Municipalities Planning Code require a public hearing on the application, and the Board must take action to approve or deny the application within 45 days following the hearing. The Board held a public hearing on August 16, 2021, and received testimony from Township staff and the applicant's representative.

The Township Manager has prepared a draft decision based on the record from the August 16, 2021, public hearing. No additional testimony will be taken at tonight's meeting. The Board is asked to review and discuss the draft decision and take final action to approve or deny the conditional use permit.

Recommended motion: That the Board of Supervisors approve the conditional use permit for 1445 West College Avenue subject to the conditions described in the decision written by the Township Manager.

#### **Staff Recommendation**

That the Board of Supervisors *approve* the conditional use permit.

4. RECREATION, PARKS, AND OPEN SPACE PLAN CONTRACT ADDENDUM – PARK MASTER PLANS

10 minutes

Centrice Martin, Assistant Township Manager

At the July 19<sup>th</sup> Regular Meeting, the Board awarded a contract to HRG, Inc., to facilitate an update to the Recreation, Parks and Open Space Plan. Staff met with the Project Manager to develop a cost and scope for updates to two park master plans - Fairbrook Park and Greenbriar/Saybrook Park. These parks are included in the draft 2022 – 2026 Capital Improvement Program Budget, and engaging HRG to complete the master plan updates for these two parks will yield a substantial cost savings for the Township. Provided with the agenda is a copy of the supplement presented for approval. The cost of the master planning is an additional \$15,000, resulting in a total contract amount of \$54,500 when added to the \$39,500 awarded to update the RPOS Plan. An additional allocation would have to be budgeted in 2022 to accommodate the added cost but would still be significantly less expensive than addressing the two master plans separately.

Recommended Motion: That the Board of Supervisors authorize the Township Manager to execute a supplement to the contract to update the Recreation, Parks, and Open Space Plan with HRG, Inc. in an amount not to exceed \$15,000.

#### Staff Recommendation

That the Board of Supervisors *authorize* the Township Manager to execute the supplement.

### 5. AWARD OF REGIONAL SOLAR POWER PURCHASE AGREEMENT CONTRACT FOR CONSULTING SERVICES 5 minutes

Eric Endresen, Director of Finance

#### **Narrative**

The regional Solar Power Purchase Agreement Working Group (SPPAWG), chaired by Peter Buck, completed work and recommended a consulting firm with expertise in solar energy. The firm will assist in the complete selection process of a developer to construct a solar facility or piggyback on an existing facility allowing the region to purchase electrical service at favorable costs relative to current and expected rates of existing electrical service. The region will share the cost of the consultant based on its current energy use. SPPAWG is asking the municipalities to approve the contract with GreenSky Development Group in the amount not to exceed \$75,000. Ferguson Township's share of the contract is 1.74% or \$1,305.00. Provided with the agenda is a consultant fact sheet that shows the timeline and proposed cost breakdown.

Recommended motion: That the Board of Supervisors authorize the Solar Power Purchase Agreement Working Group representative, Eric Endresen, to vote to recommend that the State College Area School District retain GreenSky Development Group as the energy services consultant for the regional solar power purchase agreement project.

#### **Staff Recommendation**

That the Board of Supervisors *authorize* Eric Endresen to recommend that SCASD retain GreenSky Development Group as the energy services consultant for the SPPA project.

### 6. FERGUSON TOWNSHIP OFFICIAL MAP AMENDMENT DISCUSSION

20 minutes

David Pribulka, Township Manager

#### **Narrative**

On July 19, 2021, the Board of Supervisors discussed amendments to the Ferguson Township Official Map. Specifically, the focus of the item was on the Musser Gap trail connecting Whitehall Road Regional Park to the Gap and Rothrock State Forest. The Board

requested input from the Supervisors on additional items to consider for the update. The following is a summary of the *additional* suggestions received from Board members to date:

- Property at 116 East Pine Grove Road to be considered for future public use;
- Improving the color scheme to be easier to interpret;
- Removal of the sidewalk designations;
- Pedestrian easement from the Nixon Road bike path to Cecil Irvin Park;
- Pedestrian easement for the bike path connection on Sports Road adjacent to Ferguson Township Elementary School;
- Shared use path connection from the existing Blue and White Trail in Centre County to the Huntingdon County line and continuing to the Lower Trail.

Provided with the agenda is a copy of the Planning & Zoning Director memorandum describing the standing of the Official Map in the Zoning Ordinance and Municipalities Planning Code that was presented on July 14<sup>th</sup>. Below is a link to the current Official Map. The Board should consider these suggested amendments and any others, and discuss a process for adopting the revised map and soliciting public comment.

#### Ferguson Township Official Map

Recommended motion: That the Board of Supervisors direct staff to draft an amendment to the Ferguson Township Official Map incorporating the comments from the Board for further review.

#### Staff Recommendation

That the Board of Supervisors *direct* staff to draft an amendment to the Ferguson Township Official Map.

### 7. DRAFT ORDINANCE AMENDMENT – TURF GRASS, WEEDS, AND OTHER VEGETATION David Pribulka, Township Manager 10 minutes

#### Narrative

The Board reviewed a draft amendment to the Township's Turf Grass, Weeds, and Other Vegetation Ordinance on July 19, 2021. Comments on the ordinance have been incorporated in the revised draft presented this evening. The amendments included an increase in the permitted height of managed turf grass from six inches to eight inches; requirement to establish a mowed buffer around any installation; and removal of the audit provisions, as well as other minor amendments. Provided with the agenda are redlined and cleaned copies of the revised draft.

Recommended motion: That the Board of Supervisors refer the draft Turf Grass, Weeds, and Other Vegetation to the Planning Commission for review and comment.

#### **Staff Recommendation**

That the Board of Supervisors *refer* the draft ordinance to the Planning Commission.

#### VIII. NEW BUSINESS

#### 1. CONSENT AGENDA

5 minutes

- a. Voucher Report July 2021
- b. Treasures Report June 2021 for Acceptance
- c. Contract 2021-C8, Pavement Markings, Pay App 4: \$8,277.17

- d. Harner 4 Lot Subdivision Surety Reduction Request 5: \$101,977.89
- e. Orchard View Subdivision Surety Reduction Request 2: \$89,420.00
- f. Sheetz LDP Surety Reduction Request 1: \$110,488.65
- 2. A PUBLIC HEARING ON A CONDITIONAL USE PERMIT 1350 GREENWOOD CIRCLE

  Jenna Wargo, Director of Planning & Zoning

  10 minutes

#### Narrative

An application for a Conditional Use permit application for the use of property located at 1350 Greenwood Circle to subdivide a "flag lot" has been filed with the Township. Provided with the agenda is the application submitted by David Archibald of SAS Geospatial on behalf of his clients, Jessica Gracie-Griffin and Corey Griffin for the property located at 1350 Greenwood Circle.

The applicant is requesting to subdivide the lot and create a flag lot for a proposed new home. The Township's Zoning Ordinance and the Municipalities Planning Code require a public hearing on the application, and the Board 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 §27-732. Provided with the agenda is a copy of a memorandum from the Director of Planning and Zoning describing the Findings of Fact from staff and Planning Commission reviews. The Board is asked to conduct a public hearing on the application for a conditional use permit for the Griffin's flag lot. Chair Dininni will preside over the hearing. This evening, the Board is asked to direct the Township Manager to prepare a written decision to the Board of Supervisors for consideration at the September 20<sup>th</sup> Regular Meeting.

Recommended motion: That the Board of Supervisors close the public hearing and direct the Township Manager to present Findings of Fact and a written decision to the Board for consideration at the September 20<sup>th</sup> Regular Meeting.

#### Staff Recommendation

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

3. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA (HERINAFTER THE "TOWNSHIP") ADOPTING AN ACT 537 SEWAGE FACILITIES PLAN UPDATE.

10 minutes

David Pribulka, Township Manager

#### Narrative

Provided with the agenda is copy of the resolution advertised for public hearing approving an amendment to the Centre Region Act 537 Sewage Facilities Plan. Herbert, Rowland & Grubic, Inc. has prepared a Component 3M Minor Act 537 Sewage Facilities Planning Module Update proposing to extend and existing low pressure sanitary sewer main along Whitehall Road. The extended sanitary sewer infrastructure will provide service to two existing residential customers in Ferguson Township. Below is a link to the pertinent documents submitted on behalf of this update. A representative of HRG, Inc., will be present to respond to any questions the Board may have.

Sewage Facilities Planning Module for Act 537 Update (Component 3M): Whitehall Road

Recommended motion: That the Board of Supervisors adopt the resolution adopting an update to the Centre Region Act 537 Sewage Facilities Plan.

#### Staff Recommendation

That the Board of Supervisors *adopt* the resolution.

4. CITIZEN'S RIGHT TO BE HEARD – REIMAGINE APPALACHIA CLIMATE ACTION STRATEGY

David Pribulka, Township Manager

10 minutes

#### **Narrative**

Kim Gobreski of Sedgwick Group, LLC submitted a request under Section 2.20 of the Home Rule Charter – Citizen's Right To Be Heard. The request is for the Board to consider endorsing a letter of support for the Reimagine Appalachia coalition. Per the request, Reimagine Appalachia is a "diverse group of over 100 organizations across OH, PA, KY, and WV [and] put together an ambitious <u>Appalachian Climate Infrastructure Plan</u> as a roadmap for federal investment in the region."

Provided with the agenda is a publication that further describes the campaign. Ms. Gobreski will be in attendance to present the request.

Recommended motion: That the Board of Supervisors authorize the Chair to endorse a letter of support for the Reimagine Appalachia Climate Action Strategy.

5. AUTHORIZATION TO ENGAGE THE COHEN LAW GROUP TO NEGOTIATE A RENEWAL OF A FRANCHISE AGREEMENT WITH WINDSTREAM D & E SYSTEMS, INC. AND TO CONDUCT A FRANCHISE FEE AUDIT OF THE SAME

10 minutes

David Pribulka, Township Manager

#### **Narrative**

Pursuant to the Federal Cable Act, Ferguson Township maintains a cable franchise agreement with Windstream D & E Systems to permit the occupancy of public right-of-way to provide non-exclusive service to customers of Ferguson Township. The agreement is set for a ten-year term and will expire on December 31, 2021. The Act enables the municipality to collect a franchise fee, establish standards for customer service, maintain dedicated channel space for public, educational, and governmental programming (C-NET), and protect competitive equity. The Township has received a proposal from Cohen Law Group to negotiate the renewal of the franchise agreement with Windstream D & E. The scope of work also includes an optional franchise fee audit to ensure the correct amount is being remitted to the municipality.

Copies of the proposed engagement and cover letter have been provided with the agenda. Currently, the Borough of State College is the only other Centre Region municipality to have a franchise agreement with Windstream. The Township is eligible for a 15% discount from the firm's standard fees if both Ferguson Township and State College Borough engage the law firm to conduct renewal negotiations simultaneously.

Recommended motion: That the Board of Supervisors authorize the Township Manager to execute an agreement with the Cohen Law Group to negotiate a renewal of the Township's franchise agreement with Windstream D & E Inc., and to conduct a franchise fee audit in an amount not to exceed \$9.350.

#### Staff Recommendation

That the Board of Supervisors *authorize* the Township Manager to execute an agreement with Cohen Law Group.

#### 6. BOARD MEMBER REQUEST - NOISE ORDINANCE AMENDMENT

20 minutes

Laura Dininni, Township Supervisor

#### **Narrative**

Provided with the agenda is a copy of the request from Ms. Dininni that was moved from the Consent Agenda on August 16<sup>th</sup>. Ms. Dininni will introduce the item.

Recommended motion: That the Board of Supervisors direct staff to draft an amendment to the Ferguson Township Noise Ordinance focused on revising definitions, standards of assessment, exceptions, and prohibitions with the goal of increasing community quality of life, well-being, and ease of enforcement.

#### Staff Recommendation

That the Board of Supervisors *direct* staff to draft an amendment to the Noise Ordinance.

#### 7. MEETING FORMAT FOR TOWNSHIP AUTHORITIES, BOARDS, AND COMMISSIONS

Laura Dininni, Township Supervisor

10 minutes

#### **Narrative**

With the resurgence of COVID-19 in the community, the Board should discuss the meeting format of Township Authorities, Boards, and Commissions moving forward. Currently, all meetings are being offered in a "hybrid" format, with both virtual and in-person options available. Township policy requires masking of all individuals in attendance in-person, regardless of vaccination status. There is no state or federal guidance that current prohibits in-person gatherings. As a Home Rule Municipality, all Authorities, Boards, and Commissions of the Township can meet virtually without a physical quorum present except for the Zoning Hearing Board, which will need to continue to meet in-person until the Commonwealth of Pennsylvania permits courtrooms to conduct business virtually.

Recommended motion: That the Board of Supervisors direct all Township Authorities, Boards, and Commissions to meet virtually until further notice.

#### Staff Recommendation

That the Board of Supervisors *direct* ABCs to meet virtually until further notice.

#### IX. STAFF AND COMMITTEE REPORTS

25 minutes

#### 1. COG COMMITTEE REPORTS

- a. Finance Committee
- b. Executive Committee
- c. Human Resources Committee
- d. Joint PSE and TLU Committees

#### 2. OTHER COMMITTEE REPORTS

#### 3. STAFF REPORTS

- a. Manager's Report
- b. Public Works Director's Report
- c. Planning & Zoning Director's Report

#### X. COMMUNICATIONS TO THE BOARD

#### XI. CALENDAR ITEMS – SEPTEMBER

- 1. Ferguson Township upcoming committee meetings:
  - 1. Parks & Recreation Committee Thursday, September 16, 4:00 p.m.
  - 2. Planning Commission Mondays, September 13, and September 27, 6 p.m.
  - 3. Pine Grove Mills Small Area Plan Advisory Committee Thursday, September 23, 4 p.m.
  - 4. Tree Commission Monday, September 20, 5 p.m.
- b. Fall Bike Anywhere Friday, Friday, September 17

#### XII. ADJOURNMENT

#### FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Monday, August 16, 2021 7:00 PM

#### **ATTENDANCE**

The Board of Supervisors held its second regular meeting of the month on Monday, August 16, 2021 as a hybrid meeting. In attendance were:

Board: Laura Dininni, Chair Staff: David Pribulka, Township Manager

Lisa Strickland, Vice Chair Eric Endresen, Director of Finance

Steve Miller Jenna Wargo, Planning & Zoning Director
Prasenjit Mitra Dave Modricker, Director of Public Works
Patty Stephens Centrice Martin, Assistant Township Manager

Others in attendance included: Rhonda Demchak, Recording Secretary; Mark Kissling Ferguson Township Resident; Jyoti Gulati Balachandran; Ferguson Township Resident; Chloe House, Ferguson Township Resident; Neil Sullivan, University Planner, PSU; Eric Norenberg, Executive Director, Centre Region Council of Governments; Ford Stryker, State College Borough Water Authority Representative; Corey Rilk, Senior Planner, Centre Region Council of Governments; Joe Viglione, Finance Director, Centre Region Council of Governments; Mary Ann and Bob Frankenberg, Ferguson Township Residents; Lou Brungard, Facilities Coordinator, Centre Region Council of Governments

#### I. CALL TO ORDER

Ms. Dininni called the Monday, August 16, 2021, regular meeting to order at 7:00 p.m.

Mr. Pribulka noted that the Board of Supervisors meeting had been advertised in accordance with the PA Sunshine Act as a hybrid meeting, meaning that attendees can attend remotely via zoom or in person. Persons attending the zoom format as members of the public and wanted to participate were asked to identify themselves by their name, municipality, and topic. Persons attending in person will utilize the podium in the conference room. Mr. Pribulka noted that attendees will not be permitted to speak unless addressed by the Chair. C-NET is recording as well. Mr. Pribulka took roll call and there was a quorum.

Ms. Dininni reported that there was an Executive Session prior to the meeting with regards to personnel and litigation issues.

#### II. THE PLEDGE OF ALLEGIANCE

#### III. CITIZENS INPUT

There were no comments.

#### IV. APPROVAL OF MINUTES

Ms. Mitra moved that the Board of Supervisors *approve* the Regular meeting Minutes of August 2, 2021, and the July 20 and 21, 2021 Capital Improvement Program Special Meeting Minutes. Ms. Stephens seconded the motion. The motion passed unanimously.

#### V. SPECIAL REPORTS

a) State College Borough Water Authority Report

Mr. Ford Stryker presented the report and noted that the board continues to meet via zoom once a month. The Authority is using E-Billing as a payment option and is encouraging people to utilize that method. They are working on the Solar Power Purchase Agreement. The Nixon-Kocher Plant is making good progress and should be online by March 2022. Working to relocate the water lines at the 26&45 intersection. Mr. Styker noted that Mr. Brian Heiser, Executive Director, State College Borough Water Authority, has concerns with a grading plan that has been submitted for a farm field at the North Nixon Road and Gatesburg Road. The Authority is working to understand the impact of the Stormwater Fee on their property because they thought they were exempt.

Ms. Dininni noted that the Board is aware of the grading plan and making sure everything is compliant.

Ms. Dininni asked if the Authority would be interested in having a bigger conversation on recharge, native planting, and pollinators at the property adjacent to Whitehall Road Regional Park. Mr. Stryker will pass on Ms. Dininni's idea to the Authority.

#### VI. UNFINISHED BUSINESS

1. Review Drafts of 2022-2026 COG Program Plan and 2022-2022 Capital Improvement Plan

Mr. Pribulka noted that at the General Forum meeting of the Centre Region Council of Governments on Monday, July 26th, the 2022 COG Program Plan and 2022 – 2026 Capital Improvement Program were forwarded to the Centre Region municipalities for review and comment. COG staff provided a Comment Guide to assist the member municipalities in their discussions, and responses on both documents were due back to the COG Executive Director by 8:00 a.m. on Thursday, August 19th. The COG Executive Director, Eric Norenberg, Finance Director Joe Viglione, and Lou Brungard, Facilities Coordinator were in attendance to respond to any questions the Board may have. Links to each document can be found below. On August 2nd, the Board reviewed the Comment Guide and forwarded several questions to the COG Executive Director for consideration and response. Provided with the agenda is a copy of the Comment Guide including responses from the COG Executive Director. Mr. Pribulka provided a blank Comment Guide with the agenda.

2022 Centre Region COG Program Plan DRAFT

2022 – 2026 Centre Region COG Capital Improvement Plan

Ms. Dininni welcomed the representative from COG and thanked them for their work.

Ms. Dininni reviewed the sections of the Comment Guide where there were questions.

General Non-Fund Specific Comment (page 18 of the agenda), there were questions regarding Cost of Living Adjustment. Mr. Viglione noted that the last time the COLA was changed was a General Forum Action and not a Finance Committee action. Mr. Norenberg stated that the COG was in the middle with regards to merit and COLA and will be tracking.

Office of Administration Budget (page 18 of the agenda), there were questions regarding hiring a Finance Administrator and HR Administrator. Mr. Miller recommended going with the HR Committee recommendations. Ms. Dininni expressed concerns with the cost of staffing not only with salary, but office space. Ms. Strickland asked what the factors were when considering the new positions. Mr. Norenberg noted that since starting at the COG and working at other municipalities, administration staffing is usually behind trying to play catch up with other agencies. Mr. Viglione noted that in 2014 it was discussed to hire two or three staff at the beginning with the possibility of hiring a third when Mr. Viglione thought it was time. Mr. Viglione stated that it is time to hire a new position. Ms. Dininni inquired if the COG wide staffing study will identify if a communication staffer will be needed in each department. Mr. Norenberg explained the different positions throughout COG that do various

communication duties. Ms. Dininni asked if there will be a COG wide staffing study. Ms. Stephens expressed concerns with the expense of another study. Ms. Strickland asked if staff positions were included in previous CIP's. Mr. Viglione noted they were not included in the CIP and any staffing comes through on a study. The Board agreed to suggest adding staffing to the COG CIP.

With regards to the original question "should COG hire a Human Resources and Finance Administrators", the Board agreed of the hiring of both positions with a strong recommendation to integrate staffing into the CIP.

Office of Administration Budget (page 18 of the agenda), questions were asked about budgeting \$45,000 for the first COG-wide classification and compensation study. There were no comments made. Board agreed to budget.

Office of Administration Budget (page 18 of the agenda), the Board agreed to budget \$10,000 to implement the initial recommendations of the IT Study.

COG Building Capital Budget the (page 19 of the agenda), the Board agreed to budget \$15,000 to complete the final phase of improvements to the General Forum Room; \$40,000 to improve Administrative Offices; and \$17,500 to re-lamp the COG Building and parking lot. Ms. Dininni had questions and concerns regarding the casting of light. Mr. Brungard noted that they will ensure no light migration and will be doing a lighting study.

Office of Administration – Insurance Reserve Fund Budget (page 20 of the agenda), the Board agreed to improve the air quality at both locations.

Centre Region Code Administration – Overall Program Budget (page 32 of the agenda), the Board agreed to proceed with plans to move to electronic equipment in the field.

Centre Region Code Administration – Capital Budget (page 34 of the agenda) the Board agreed for the CRCA to proceed with plans to move to an electric fleet.

Schlow Centre Region Library Operating Budget (page 36 of the agenda) the Board agreed that the library material budget should be increased and agreed to invest in remote library material pickup lockers.

Centre Regional Planning Agency (page 37 of the agenda) regarding a half-time hire of a Communications Manager, Ms. Dininni stated she is not in favor of the hire. Ms. Stephens suggested cross training. Mr. Miller noted that he is not in favor. Ms. Strickland expressed concerns with filling a professional part-time position and the scope needs to be redefined. Mr. Mitra concurred with Ms. Stickland.

Centre Regional Planning Agency (page 37 of the agenda) regarding the hiring of a consultant. Mr. Miller noted that he would not be in favor because there is not enough of a plan to implement. Ms. Dininni expressed a small amount of support but if it were more focused then her support would be greater. Ms. Strickland noted that there is some confusion related to the responsibility and would not be opposed of the consultant if it were the next step. Mr. Norenberg liked the feedback and stated the consultant is designed to bolster what the staff has capabilities to do and provide technical capabilities beyond what is in place now. Ms. Dininni, Ms. Stephens, and Mr. Miller are not in support of hiring the consultant now. Ms. Strickland and Mr. Mitra voted in support.

Regional Fire Protection Program (page 39 of the agenda) regarding the hiring of a part-time Administrative Assistant the Board agreed to the hire.

Regional Fire Protection Program Capital Budget (page 39 of the agenda) with regards to replacing Engine 5-3, purchase of a UTV, and restriking the block and brick at the Borough Fire Station the Board agreed to all.

Aquatics – Capital Budget (page 42 of the agenda) regarding the water slide and pool feature slated for Park Forest Pool and Welch pool, the concrete slab repairs, parking lot at Park Forest Pool, and interior finish upgrades within the restrooms at both pools be completed, the Board agreed to all. With regards to the purchase and retrofit of a concession truck, Ms. Dininni expressed concerns with another box truck and suggested investing in the facilities. The Board is not in support of the concession truck and recommends working with existing vendors. Regarding the \$10,000 annually to cover unplanned capital replacements, the Board had concerns but agreed to the unplanned capital replacements.

Millbrook Marsh Nature Center – Capital Budget (page 43 of the agenda) lighting for the parking area and walkways, the Board recommends exploring all possible options to reduce the impact of the lights.

Ms. Dininni noted that she is in favor of refreshing of the park master plans.

Ms. Dininni thanked Mr. Norenberg, Mr. Viglione, and Mr. Brungard for their attendance and assistance at the meeting.

#### VII. NEW BUISNESS

- 1. Consent Agenda
  - a. 2021-C4, Wetland Delineation: \$2,645.40
  - b. 2021-C8, Parking Stalls, Pay Application 3: \$21,704.10
  - c. Treasures Report May 2021 for Acceptance
  - d. Board Member Request Noise Ordinance Amendment

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

2. Public Hearing - Conditional Use Application, 1445 West College Avenue

Ms. Wargo noted that in Included in the agenda is a Conditional Use application from Penn State University for property located at 1445 West College Avenue (24-4-51C). The applicant is requesting to continue the conditional uses currently operating at the site in accordance with Chapter 27-304.2.E.(1) and (2). There are two existing conditional uses on the property: One dated November 7, 2011, for the use of the property as a golf course maintenance facility (8,500SQFT) and one dated August 26, 2014, for the use of the property as a Mixed Martial Art studio (7,800SQFT). Both agreements expire December 31, 2021. The property is located in the Terraced Streetscape (TS) Zoning District and both uses are not permitted uses (§27-304.2.E.(1)), nor prohibited (§27-304.2.E.(2)). Given that both uses are continuing at the site and the Township is rewriting the Terraced Streetscape Ordinance, staff is recommending an addendum to these agreements to permit the uses to operate for another five years at this location. All conditions included in the original agreement will remain, including the surety posted for the improvements.

Public Hearing – There were no comments.

Mr. Miller stated he would extend the conditional use with the knowledge that the zoning district may change.

Mr. Mitra concurred with Mr. Miller.

Ms. Strickland is in favor of extending but suggested shortening the term to three years. Ms. Strickland had an inquiring from a resident regarding the gravel road behind the mixed martial arts facility and asked if it is part of the conditional use. Mr. Neil Sullivan stated the gravel road is on the PS Golf Course property. Mr. Sullivan will look up the history regarding the gravel road and send to Ms. Wargo.

Ms. Stephens asked when the consultant will be hired for the rewrite. Mr. Pribulka stated that the intention is to look for a consultant in the first quarter of 2022 and will likely be a year process. Mr. Pribulka noted that a three-year permit is reasonable and to expect amendments to the TSD and that when the conditional use extension expires, the owner will need to comply with the standards.

Ms. Dininni stated she is in favor of extending for three years. The Board agreed to change from five years to three years.

Ms. Miller moved that the Board of Supervisors *close* the public hearing and direct the Township Manager to present Findings of Fact and a written decision to the Board for consideration at the September 7th Regular Meeting. Ms. Stephens seconded the motion. The motion passed unanimously.

3. Public Hearing – Resolution Adopting Act 537 Sewage Facilities Plan Update

Mr. Pribulka noted that provided with the agenda is copy of the resolution advertised for public hearing approving an amendment to the Centre Region Act 537 Sewage Facilities Plan. The University Area Joint Authority intends to upgrade its composting facility, which has been in operation for nearly 28 years, by constructing an Anaerobic Digestion and Sludge Drying Facility to produce Class A Biosolid product in place of composting. As noted in the resolution, the Township and all other municipalities in the Sewer Service Area must approve any revisions to the Act 537 Plan. Below is a link to the Special Study. Corey Rilk, Senior Planner with the Centre Regional Planning Agency, was present to report on the study and respond to any questions the Board may have.

Ms. Dininni asked if compost will be produced at UAJA. Mr. Rilk noted that there will be smaller amount produced with no additional waste produced.

Public Hearing – There were no comments.

Centre Region Act 537 Special Study for Biosolids Upgrade Facility

Mr. Miller moved that the Board of Supervisors *adopt* the resolution adopting an Act 537 Sewage Facilities Plan Update. Mr. Mitra seconded the motion.

ROLL CALL: Ms. Dininni – Yes: Mr. Miller – Yes: Mr. Mitra – YES: Ms. Stephens – Yes: Ms. Strickland – Yes

4. Request for Variance – 1609 North Atherton Street

Ms. Wargo reported that on July 6, 2021, Mike Patel submitted an application for zoning variance to the Planning and Zoning Department. Rita's Italian Ice — 1609 N. Atherton Street (24-010-017-0000), zoned General Commercial (C), is requesting a variance from §27-209.1. and E. Yard Requirements. The applicant is proposing to have an awning projecting beyond the front and side yard setbacks in order to provide more coverage for their patrons during bad weather and protect their employees from the sun while working.

Ms. Dininni suggested supporting the variance because it seems to be minimal impact but asked others for their opinion.

Mr. Miller noted that the Board usually stays neutral because it is a Zoning Hearing Board decision.

Ms. Strickland is not personally opposed but will remain neutral because it is an encroachment to the setback.

Ms. Dininni moved that the Board of Supervisors remain *neutral* on the request for variance at 1609 North Atherton Street. Ms. Strickland seconded the motion. The motion passed unanimously.

5. Request for Variance – 1609 North Atherton Street

Ms. Wargo reported that included in the agenda is an Application for Consideration of a Modification/Waiver from Sue and John Campbell submitted to the Planning & Zoning Department. The Campbell's own the property located at 400 Plainfield Road (24-007-004-0000). Farmers Way is a private driveway on the northern portion of TP 24-007-004-0000. The applicant proposes to build a third single family home on the northern portion of the parcels and is requesting a modification/waiver from the Subdivision and Land Development Ordinance (§22- 104.1.B.) requirement to complete a land development plan. There are two existing homes on the 181.3 acre property. The property is zoned Rural Agriculture (RA). Staff has reviewed the application and waiver and is recommending as a condition of approval that the applicants comply with all State regulations.

Ms. Strickland moved that the Board of Supervisors *grant* the waiver from §22-104.B. subject to the condition that the applicants comply with all state regulations. Mr. Miller seconded the motion. The motion passed unanimously.

6. Heritage Tree Designation – 210 Deibler Road

Mr. Modricker reported that at the January 18<sup>th</sup> Regular Meeting of the Board of Supervisors, the Board adopted Ordinance 1062 amending Chapter 25, Trees by establishing a new Part IV, Heritage and Significant Trees. The intent of the new part is to recognize the voluntary protection of landmark and important trees, establish a process to nominate these trees, distinguish between Heritage and Significant Trees, and establish maintenance responsibilities for the preserved trees. Provided with the agenda is a request from the Baileyville Community Hall Board for the Oak tree at 210 Deibler Road, Pennsylvania Furnace, PA. Mr. Modricker showed the tree in question and stated that this is the Township's first designation. The Township Arborist estimated the tree to be 300-350 years old.

Ms. Strickland moved that the Board of Supervisors, upon finding the old oak tree at 210 Deibler Road to be of landmark importance, *approve* the designation of Heritage Tree subject to receipt of an executed tree easement document from the property owner. Ms. Stephens seconded the motion.

Mr. Pribulka suggested having a certificate accompany the designation.

The motion passed unanimously.

7. DRAFT Position Letter - Mandatory COVID-19 Vaccinations for PSU Students, Faculty, and Staff

Ms. Dininni noted that provided with the agenda is a copy of a draft letter from herself urging Penn State University to require COVID-19 vaccinations for all eligible students, faculty, and staff in advance of the commencement of the 2021 fall semester and academic year. A similar letter has been sent by State College Borough Council President Jesse Barlow. The COG Executive

Committee will be conducting a Special Meeting on August 10<sup>th</sup> to consider endorsing a letter, as well. Ms. Dininni noted that the country is seeing a surge with the Delta Variant.

Mr. Mitra stated he is in full support of a letter.

Mr. Miller stated that he is in favor of the letter because of the number of people coming in that would not be vaccinated. Mr. Miller expressed concerns with the number of people that the Grange Fair and football games will bring to the area.

Ms. Stephens stated she is in favor but is inclined to support more if there are real numbers as opposed to percentages.

Ms. Strickland stated she is in favor of sending and the emergency authorization is inclusive enough.

After further discussion, the Board agreed to add a sentence with estimated numbers and percentages.

Ms. Strickland moved that the Board of Supervisors *authorize* the Chair to endorse the letter to Penn State University officials urging the University to require COVID-19 vaccinations for all non-exempt students, faculty, and staff prior to the commencement of the 2021 – 2022 academic year. Mr. Miller seconded the motion. The motion passed unanimously.

#### 8. Board Member Request – Radio Park Elementary School Crossing Guard

Ms. Strickland noted that provided with the agenda is a copy of the Board member-requested item concerning the hiring of a part-time crossing guard at Radio Park Elementary School. Ms. Strickland explained the intersection, the safety concerns, and noted that there will be a traffic study.

Ms. Stephens stated that she received a communication from a resident about cutting back the vegetation in the empty field. Mr. Pribulka noted that the field is privately owned, but if there is a sight problem the Township can investigate.

**Public Comment** 

Ms. Chole House, Ferguson Township Resident, thanked the Township for the crosswalk and advocated for a crossing guard.

Ms. Jyoti Gulati Balachandran, Ferguson Township Resident, thanked the Township and especially Ms. Strickland and Ms. Stephens for their efforts. Ms. Balachandran stated that her family has had two near misses while biking and walking.

Mr. Mark Kissling, Ferguson Township Resident, thanked the Board for the upcoming traffic study. Mr. Kissling also thanked Ms. Strickland and Ms. Stephens for walking the route with him. Mr. Kissling encouraged the hire of a crossing guard prior to the traffic study.

Mr. Pribulka reviewed the safety measures that were put in place. Mr. Pribulka stated that the study will not take long to complete, and it should be completed soon.

Ms. Balachandran noted that Cherry Lane is difficult because there are no sidewalks.

Ms. Dininni asked when a crossing guard could start. Mr. Pribulka stated it could be up to a month depending on the application poll and process.

- Mr. Miller stated that reluctance in hiring a crossing guard is not due to the financial commitment or disregard of safety but rather it's difficult to find a person to hire for this position.
- Mr. Mitra asked if stop signs were to be installed would there still be a need for a crossing guard.
- Ms. Strickland suggested a year long position so the Board could reassess.
- Mr. Mitra is in full support of the crossing guard.
- Ms. Stephens is also in favor of the crossing guard even if stop signs were to be installed.
- Mr. Miller indicated his support of the crossing guard.
- Ms. Dininni is in support and the reevaluation in a year.
- Mr. Mitra moved that the Board of Supervisors **authorize** the hiring of a part-time crossing guard for Radio Park Elementary School. Ms. Strickland seconded the motion. The motion passed unanimously.

#### VIII. STAFF AND COMMITTEE REPORTS

#### 1. COG COMMITTEE REPORTS

- a. Human Resources Committee The report is listed in the agenda.
- b. Joint Public Services & Environmental and Transportation & Land Use Committees Ms. Strickland reported that they discussed the draft resolution forming the Land Use and Community Infrastructure Committee, there was an update on the Accessory Scale Solar Project, and affordable housing.
- c. Climate Action and Sustainability Committee Ms. Dininni reported that they discussed the Climate Action Plan.
- d. Special Executive Committee Ms. Dininni reported that they discussed the COG position statement to PSU on COVID-19.
- e. Public Safety Committee Ms. Dininni reported that they discussed municipal police reporting, funding of the EMS Legislative meeting, and regional fire protection space evaluation.

#### 2. STAFF REPORTS

- a. Manager's Report The report is included in the agenda.
- b. Public Works Director The report is included in the agenda.
- c. Planning and Zoning Director The report is included in the agenda.
- d. Chief of Police The report is included in the agenda.
  - Ms. Dininni asked if the Ferguson Township Climate Action Committee is meeting independently from the COG Climate Action Committee. Mr. Pribulka reported that they are, and they meet the first Monday of the month.
  - Mr. Pribulka reported that the Request for Proposals for updating the Township's Strategic Plan were due last Friday. The next step is for a subcommittee to conduct interviews the week of

August 23<sup>rd</sup>. Mr. Pribulka suggested having two members of the Board to serve on the subcommittee. Ms. Dininni and Mr. Miller volunteered to be on the subcommittee.

#### IX. COMMUNICATIONS TO THE BOARD

Ms. Dininni noted that Ms. Strickland had a communication regarding the gravel road that was mentioned earlier in the agenda. Ms. Dininni asked staff to investigate the matter.

#### X. CALENDAR ITEMS - AUGUST/SEPTEMBER

- a. Ferguson Township upcoming committee meetings:
- 1. Stormwater Fee Workshop Tuesday, August 17, 6:30 p.m.
- 2. Parks & Recreation Committee Thursdays, August 19 and September 16, 4:00 p.m.
- 3. Planning Commission Mondays, August 23, September 13, and September 27, 6 p.m.
- 4. Pine Grove Mills Small Area Plan Advisory Committee Thursdays, August 26 and September 23, 4 p.m.
- 5. Tree Commission Monday, September 20, 5 p.m.

Ms. Dininni thanked Mr. Mitra for his service to the Board.

#### XI. ADJOURNMENT

With no further business to come before the Board of Supervisors, Ms. Stephens motioned to adjourn the meeting. The meeting adjourned at 10:33 p.m.

Respectfully submitted,

David Pribulka, Township Manager For the Board of Supervisors



# FERGUSON TOWNSHIP SECOND QUARTER FINANCIAL REPORT - SEPTEMBER 2021

- ❖ BOS REVENUE SUMMARY
- ❖ BOS EXPENDITURE SUMMARY

### General Ledger Quarterly BOS Revenue Summary

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Period 04 - 06 Fiscal Year 2021



Account Number	Description	Budget	Current Actual	YTD Actual	\$ Remain	% Remain
01	GENERAL FUND					
301	REAL PROPERTY TAX REVENUE	1,459,527.00	1,187,351.45	1,464,750.86	-5,223.86	-0.36
310	LOCAL ENABLING TAX REVENUE	8,400,000.00	2,465,897.62	4,746,422.13	3.653.577.87	43.49
321	<b>BUSINESS LICENSES &amp; PERMITS</b>	265,480.00	63,209.51	126,428.19	139,051.81	52.38
322	NON-BUSINESS LICENSESPERMITS	52,952.00	2,445.00	4,395.00	48,557.00	91.70
331	FINES	55,300.00	10,629.14	18,761.32	36,538.68	66.07
332	FOREFEITS	0.00	0.00	0.00	0.00	0.00
341	INTEREST EARNED	75,700.00	11,570.44	31,066.90	44,633.10	58.96
342	RENTS & ROYALTIES	42,829.00	10,707.13	21,414.26	21,414.74	50.00
351	FEDERAL GRANTS	22,484.00	1,023,356.43	1,032,507.17	-1,010,023.17	-4,492.19
354	STATE GRANTS	41,763.00	1,165.59	4,490.22	37,272.78	89.25
355	STATE SHARED REVENUES	573,996.00	3,689.49	3,689.49	570,306.51	99.36
356	STATE PAYMENT IN-LIEU OF TAX	7,973.00	0.00	0.00	7,973.00	100.00
357	LOCAL GRANTS	50,000.00	0.00	2,147.99	47,852.01	95.70
358	LOCAL SHARED PAYMENTS	37,000.00	10,882.16	21,764.32	15,235.68	41.18
359	LOCAL PAYMENTS IN-LIEU OF TAX	146,779.00	5,129.87	151,612.90	-4,833.90	-3.29
361	DEPARTMENTAL EARNINGS	110,600.00	15,600.21	25,309.55	85,290.45	77.12
362	PUBLIC SAFETY	56,675.00	447.00	1,068.00	55,607.00	98.12
363	PUBLIC WORKS SERVICE REVENUE	0.00	0.00	0.00	0.00	0.00
364	SANITATION REVENUE	0.00	0.00	0.00	0.00	0.00
365	HEALTH SERVICES REVENUE	8,500.00	3,195.82	4,574.70	3,925.30	46.18
367	CULTURERECREATION	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	96,200.00	155,758.06	157,045.06	-60,845.06	-63.25
392	INTERFUND TRANSFERS IN	22,648.00	0.00	0.00	22,648.00	100.00
395	REFUNDS OF PRIOR YR'S EXPENSES	0.00	0.00	0.00	0.00	0.00
01	GENERAL FUND	11,526,406.00	4,971,034.92	7,817,448.06	3,708,957.94	32.18
02	STREET LIGHT FUND					
341	INTEREST EARNED	150.00	19.75	44.15	105.85	70.57
383	SPECIAL ASSESSMENTS	21,482.00	0.00	0.00	21,482.00	100.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
02	STREET LIGHT FUND	21,632.00	19.75	44.15	21,587.85	99.80
03	HYDRANT FUND					
341	INTEREST EARNED	500.00	84.92	185.43	314.57	62.91
383	SPECIAL ASSESSMENTS	133,333.00	15,000.00	55,000.00	78,333.00	58.75

Account Number	Description	Budget	<b>Current Actual</b>	YTD Actual	\$ Remain	% Remain
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
03	HYDRANT FUND	133,833.00	15,084.92	55,185.43	78,647.57	58.77
16	GOA FUND					
341	INTEREST EARNED	10,000.00	1,098.20	6,790.02	3,209.98	32.10
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	400,000.00	0.00	0.00	400,000.00	100.00
393	PROCEEDS FROM LONG TERM DEBT	0.00	0.00	0.00	0.00	0.00
16	GOA FUND	410,000.00	1,098.20	6,790.02	403,209.98	98.34
19	AG PRESERVATION FUND					
341	INTEREST EARNED	750.00	46.07	91.51	658.49	87.80
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
19	AG PRESERVATION FUND	750.00	46.07	91.51	658.49	87.80
20	STORMWATER FUND					
341	INTEREST EARNED	100.00	448.35	590.25	-490.25	-490.25
354	STATE GRANTS	0.00	0.00	0.00	0.00	0.00
357	LOCAL GRANTS	0.00	0.00	0.00	0.00	0.00
383	SPECIAL ASSESSMENTS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	1,221,000.00	0.00	200,000.00	1,021,000.00	83.62
20	STORMWATER FUND	1,221,100.00	448.35	200,590.25	1,020,509.75	83.57
30	CAPITAL RESERVE FUND					
341	INTEREST EARNED	22,500.00	2,609.30	6,264.07	16,235.93	72.16
342	RENTS & ROYALTIES	10,000.00	0.00	0.00	10,000.00	100.00
354	STATE GRANTS	272,800.00	0.00	0.00	272,800.00	100.00
355	STATE SHARED REVENUES	0.00	0.00	0.00	0.00	0.00
357	LOCAL GRANTS	0.00	0.00	0.00	0.00	0.00
358	LOCAL SHARED PAYMENTS	0.00	0.00	0.00	0.00	0.00
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
391	SALE OF FIXED ASSETS	2,000.00	905.00	905.00	1,095.00	54.75
392	INTERFUND TRANSFERS IN	1,917,400.00	997,208.82	2,567,829.20	-650,429.20	-33.92
30	CAPITAL RESERVE FUND	2,224,700.00	1,000,723.12	2,574,998.27	-350,298.27	-15.75
31	REG CAP REC PROJECTS FUND					
341	INTEREST EARNED	15,000.00	2,662.51	5,376.09	9,623.91	64.16
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
31	REG CAP REC PROJECTS FUND	15,000.00	2,662.51	5,376.09	9,623.91	64.16
32	TRANSPORT IMPROVEMENT FUND					
341	INTEREST EARNED	50,000.00	5,151.38	10,380.36	39,619.64	79.24
351	FEDERAL GRANTS	606,900.00	0.00	0.00	606,900.00	100.00
354	STATE GRANTS	0.00	0.00	0.00	0.00	0.00

Account Number	Description	Budget	<b>Current Actual</b>	YTD Actual	\$ Remain	% Remain
357	LOCAL GRANTS	0.00	0.00	0.00	0.00	0.00
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	1,093,397.00	254,184.28	255,474.60	837,922.40	76.63
32	TRANSPORT IMPROVEMENT FUND	1,750,297.00	259,335.66	265,854.96	1,484,442.04	84.81
33	PGM STREETLIGHT FUND					
341	INTEREST EARNED	300.00	49.62	98.58	201.42	67.14
387	PRIVATE CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
33	PGM STREETLIGHT FUND	300.00	49.62	98.58	201.42	67.14
34	PARK IMPROVEMENT FUND					
341	INTEREST EARNED	2,000.00	114.30	343.25	1,656.75	82.84
354	STATE GRANTS	250,000.00	0.00	0.00	250,000.00	100.00
359	LOCAL PAYMENTS IN-LIEU OF TAX	0.00	0.00	0.00	0.00	0.00
367	CULTURERECREATION	0.00	387.00	387.00	-387.00	0.00
387	PRIVATE CONTRIBUTIONS	126,000.00	0.00	0.00	126,000.00	100.00
389	MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00
392	INTERFUND TRANSFERS IN	360,000.00	0.00	0.00	360,000.00	100.00
34	PARK IMPROVEMENT FUND	738,000.00	501.30	730.25	737,269.75	99.90
35	LIQUID FUELS FUND					
341	INTEREST EARNED	20,000.00	293.00	834.53	19,165.47	95.83
355	STATE SHARED REVENUES	601,872.00	0.00	618,646.21	-16,774.21	-2.79
358	LOCAL SHARED PAYMENTS	0.00	988.00	988.00	-988.00	0.00
392	INTERFUND TRANSFERS IN	50,000.00	0.00	0.00	50,000.00	100.00
35	LIQUID FUELS FUND	671,872.00	1,281.00	620,468.74	51,403.26	7.65
Revenue Total		18,713,890.00	6,252,285.42	11,547,676.31	7,166,213.69	0.3829

# General Ledger Quarterly BOS Expenditure Summary

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Period 04 - 06 Fiscal Year 2021



					Ψ 2101111111	% Remain
GENERAL FUND						
	60.198.00	13.048.80	20.242.12	0.00	39,955,88	66.37
	,	,	,		,	54.94
			,		,	52.30
	,	· ·	,		,	45.66
	,		,		,	75.17
						50.31
						40.90
	,			,	,	53.22
	,					48.95
	,					56.79
	, ,				, ,	61.86
			,			100.00
	,				,	100.00
						52.68
						48.90
	,					79.07
	,		,			100.00
	,					34.34
	,		,	,	,	10.33
						53.55
				,	,	57.99
•	223,337.00	13,002.77	73,707.30	0.00	127,031.12	37.55
	713 784 00	158 500 55	317 855 96	0.00	395 928 04	55.47
	,	,	,		,	49.30
	,					50.93
	,					86.67
	,				,	0.00
						73.39
					,	50.00
					- ,	50.00
		· ·	,			100.00
CONSERVATION	0,007.00	0.00	0.00	0.00	0,007.00	100.00
SLAB CABIN RUN INITIATIVE	5,000.00	0.00	0.00	0.00	5,000.00	100.00
COMMUNITY DEVELOPMENT	15,000.00	0.00	0.00	0.00	15,000.00	100.00
DEBT SERVICE INTEREST	2,000.00	19.20	19.20	0.00	1,980.80	99.04
	LEGISLATIVE BODY EXECUTIVE FINANCE TAX OFFICE LEGAL OTHER GOVT ADMINISTRATION IT-NETWORKING ENGINEERING BUILDINGS & GROUNDS POLICE FIRE AMBULANCE CODE ENFORCEMENT PLANNING & ZONING EMERGENCY MANAGEMENT HEALTH & WELFARE RECYCLING PUBLIC WORKS ADMINISTRATION WINTER MAINTENANCE TRAFFIC CONTROL DEVICES TOOLS & EQUIPMENT MAINTENANCE ROAD & BRIDGE MAINTENANCE TRANSIT SYSTEM PARTICIPANT RECREATION SPECTATOR RECREATION PARKS SHADE TREES LIBRARIES SENIOR CITIZENS NATURAL RESOURCE CONSERVATION SLAB CABIN RUN INITIATIVE COMMUNITY DEVELOPMENT	LEGISLATIVE BODY         60,198.00           EXECUTIVE         378,553.00           FINANCE         241,179.00           TAX OFFICE         48,425.00           LEGAL         80,000.00           OTHER GOVT ADMINISTRATION         130,739.00           IT-NETWORKING         189,498.00           ENGINEERING         384,964.00           BUILDINGS & GROUNDS         193,960.00           POLICE         2,602,689.00           FIRE         568,784.00           AMBULANCE         6,500.00           CODE ENFORCEMENT         300.00           PLANNING & ZONING         453,693.00           EMERGENCY MANAGEMENT         37,299.00           RECYCLING         33,005.00           PUBLIC WORKS ADMINISTRATION         114,511.00           WINTER MAINTENANCE         21,300.00           TRAFFIC CONTROL DEVICES         46,000.00           TOOLS & EQUIPMENT         223,539.00           MAINTENANCE         713,784.00           TRANSIT SYSTEM         133,638.00           PARTICIPANT RECREATION         726,388.00           SPECTATOR RECREATION         6,000.00           PARKS         0.00           SHADE TREES         159,505.00	LEGISLATIVE BODY	LEGISLATIVE BODY	LEGISLATIVE BODY         60,198.00         13,048.80         20,242.12         0.00           EXECUTIVE         378,553.00         98,895.85         170,563.70         0.00           FINANCE         241,179.00         60,070.82         115,039.75         0.00           TAX OFFICE         48,425.00         10,391.45         26,315.46         0.00           LEGAL         80,000.00         11.807.15         19,861.23         0.00           OTHER GOVT ADMINISTRATION         130,739.00         32,275.50         64,960.25         0.00           IT-NETWORKING         189,498.00         34,719.67         102,904.65         9,993.74           ENGINEERING         384,964.00         92,730.75         180,102.35         0.00           BUILDINGS & GROUNDS         193,960.00         45,532.80         95,602.41         3,405.00           POLICE         2,602,689.00         586,401.45         1,111,786.83         12,827.85           FIRE         568,784.00         108,475.00         0.00         0.00           AMBULANCE         6,500.00         0.00         0.00         0.00           CODE ENFORCEMENT         300.00         0.00         0.00         0.00           PLANNING & ZONING         453,693.00	LEGISLATIVE BODY

Account Number	Description	Budget	<b>Current Actual</b>	YTD Actual	Encumbered	\$ Remain	% Remain
481	PAYROLL TAXES	330,500.00	94,414.03	169,782.74	0.00	160,717.26	48.63
483	PENSIONS	607,878.00	80,168.76	125,941.90	0.00	481,936.10	79.28
486	PROPERTY INSURANCE	246,100.00	6,848.00	146,607.00	2,785.00	96,708.00	39.30
487	HEALTH INSURANCE	1,084,500.00	85,383.75	246,447.74	0.00	838,052.26	77.28
489	MISCELLANEOUS EXPENSE	52,776.00	250.00	3,760.00	0.00	49,016.00	92.88
491	REFUND OF PRIOR YR'S REVENUE	0.00	0.00	0.00	0.00	0.00	0.00
492	INTERFUND TRANSFERS OUT	2,549,397.00	595,307.14	941,519.64	0.00	1,607,877.36	63.07
01	GENERAL FUND	12,998,636.00	2,698,565.97	5,247,655.82	37,239.49	7,713,740.69	59.34
02	STREET LIGHT FUND						
434	STREET LIGHTING	19,500.00	5,613.91	5,835.71	0.00	13,664.29	70.07
02	STREET LIGHT FUND	19,500.00	5,613.91	5,835.71	0.00	13,664.29	70.07
03	HYDRANT FUND						
448	WATER SYSTEMS	118,528.00	27,132.00	54,264.00	0.00	64,264.00	54.22
03	HYDRANT FUND	118,528.00	27,132.00	54,264.00	0.00	64,264.00	54.22
16	GOA FUND						
401	EXECUTIVE	500.00	0.00	0.00	0.00	500.00	100.00
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
471	DEBT SERVICE PRINCIPAL	105,000.00	0.00	0.00	0.00	105,000.00	100.00
472	DEBT SERVICE INTEREST	178,468.00	89,533.75	89,533.75	0.00	88,934.25	49.83
475	FISCAL AGENT FEES	0.00	0.00	0.00	0.00	0.00	0.00
486	PROPERTY INSURANCE	0.00	0.00	0.00	0.00	0.00	0.00
492	INTERFUND TRANSFERS OUT	1,867,400.00	657,208.82	2,227,829.20	0.00	-360,429.20	-19.30
16	GOA FUND	2,151,368.00	746,742.57	2,317,362.95	0.00	-165,994.95	-7.72
18	CLOSED DO NOT USE						
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
18	CLOSED DO NOT USE	0.00	0.00	0.00	0.00	0.00	0.00
19	AG PRESERVATION FUND						
461	NATURAL RESOURCE CONSERVATION	0.00	0.00	0.00	0.00	0.00	0.00
19	AG PRESERVATION FUND	0.00	0.00	0.00	0.00	0.00	0.00
20	STORMWATER FUND						
402	FINANCE	0.00	0.00	0.00	0.00	0.00	0.00
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
408	ENGINEERING	376,341.00	36,011.62	47,060.08	0.00	329,280.92	87.50
434	STREET LIGHTING	0.00	0.00	0.00	0.00	0.00	0.00
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
446	STORMWATER	794,812.00	62,737.64	90,547.05	0.00	704,264.95	88.61
20	STORMWATER FUND	1,171,153.00	98,749.26	137,607.13	0.00	1,033,545.87	88.25
30	CAPITAL RESERVE FUND						
401	EXECUTIVE	20,000.00	0.00	0.00	0.00	20,000.00	100.00

	Description	Budget	Current Actual	YTD Actual	Encumbered	\$ Remain	% Remain
402	FINANCE	0.00	0.00	0.00	0.00	0.00	0.00
407	IT-NETWORKING	36,250.00	3,999.99	3,999.99	0.00	32,250.01	88.97
408	ENGINEERING	0.00	0.00	0.00	0.00	0.00	0.00
409	BUILDINGS & GROUNDS	1,969,785.00	519,153.53	1,693,582.83	7,490.00	268,712.17	13.64
410	POLICE	143,500.00	2,155.00	48,348.75	0.00	95,151.25	66.31
414	PLANNING & ZONING	0.00	0.00	0.00	0.00	0.00	0.00
430	PUBLIC WORKS ADMINISTRATION	611,091.00	91,043.47	98,644.47	205,313.23	307,133.30	50.26
434	STREET LIGHTING	32,000.00	0.00	0.00	0.00	32,000.00	100.00
438	ROAD & BRIDGE MAINTENANCE	0.00	0.00	0.00	0.00	0.00	0.00
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
446	STORMWATER	0.00	0.00	1,807.50	0.00	-1,807.50	0.00
452	PARTICIPANT RECREATION	0.00	0.00	0.00	0.00	0.00	0.00
454	PARKS	0.00	0.00	0.00	0.00	0.00	0.00
455	SHADE TREES	9,450.00	315.00	4,533.85	0.00	4,916.15	52.02
486	PROPERTY INSURANCE	6,000.00	1,220.10	2,833.21	0.00	3,166.79	52.78
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
30	CAPITAL RESERVE FUND	2,828,076.00	617,887.09	1,853,750.60	212,803.23	761,522.17	26.93
31	REG CAP REC PROJECTS FUND						
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
452	PARTICIPANT RECREATION	146,819.00	26,614.75	53,229.50	0.00	93,589.50	63.74
492	INTERFUND TRANSFERS OUT	285,000.00	0.00	0.00	0.00	285,000.00	100.00
31	REG CAP REC PROJECTS FUND	431,819.00	26,614.75	53,229.50	0.00	378,589.50	87.67
32	TRANSPORT IMPROVEMENT						
400	FUND	0.00	0.00			0.00	0.00
402	FINANCE	0.00	0.00	0.00	0.00	0.00	0.00
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
408	ENGINEERING	113,000.00	0.00	10,144.63	0.00	102,855.37	91.02
434	STREET LIGHTING	101,000.00	3,760.00	4,960.00	0.00	96,040.00	95.09
439	ROAD CONSTRUCTION	1,559,900.00	250.00	48,529.97	9,610.00	1,501,760.03	96.27
492	INTERFUND TRANSFERS OUT	340,000.00	0.00	0.00	0.00	340,000.00	100.00
32	TRANSPORT IMPROVEMENT FUND	2,113,900.00	4,010.00	63,634.60	9,610.00	2,040,655.40	96.54
33	PGM STREETLIGHT FUND						
434	STREET LIGHTING	0.00	0.00	0.00	0.00	0.00	0.00
439	ROAD CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00
33	PGM STREETLIGHT FUND	0.00	<b>0.00</b>	0.00	0.00	<b>0.00</b>	<b>0.00</b>
34	PARK IMPROVEMENT FUND	0.00	0.00			0.00	0.00
430	PUBLIC WORKS ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00
454	PARKS	867,000.00	6,816.62	49,418.00	2,520.00	815,062.00	94.01
34	PARK IMPROVEMENT FUND	867,000.00	6,816.62	49,418.00	2,520.00	815,062.00	94.01
35	LIQUID FUELS FUND						
404	LEGAL	0.00	0.00	0.00	0.00	0.00	0.00
408	ENGINEERING	0.00	0.00	0.00	0.00	0.00	0.00

Account Number	Description	Budget	Current Actual	YTD Actual	Encumbered	\$ Remain	% Remain
							·
430	PUBLIC WORKS ADMINISTRATION	121,700.00	0.00	0.00	0.00	121,700.00	100.00
432	WINTER MAINTENANCE	122,750.00	0.00	96,263.59	0.00	26,486.41	21.58
433	TRAFFIC CONTROL DEVICES	109,000.00	0.00	-7,755.87	0.00	116,755.87	107.12
438	ROAD & BRIDGE MAINTENANCE	284,000.00	3,858.27	5,300.18	124,061.92	154,637.90	54.45
439	ROAD CONSTRUCTION	95,000.00	38,248.05	38,248.05	0.00	56,751.95	59.74
492	INTERFUND TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00	0.00
35	LIQUID FUELS FUND	732,450.00	42,106.32	132,055.95	124,061.92	476,332.13	65.03
<b>Expense Total</b>		23,432,430.00	4,274,238.49	9,914,814.26	386,234.64	13,131,381.10	0.5604



Ferguson Township 3147 Research Drive State College, PA 16801

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

www.twp.ferguson.pa.us

# Memo

**To:** Board of Supervisors

From: David Pribulka, Township Manager

Date: September 1, 2021

**Re:** Gypsy Moth Abatement in the Greenbriar Subdivision

On July 6, 2021, the Board of Supervisors carried a motion to direct staff to evaluate options for aerial spraying in the Greenbriar development and other areas of concern for gypsy moths to be considered in the 2022 – 2026 Capital Improvement Program Budget. This memorandum is to provide the Board with an update on that evaluation and proposed course of action.

In August, I had several conversations with Karl Mierzejewski, former Centre County Gypsy Moth Coordinator, regarding the concerns expressed by some residents of the Greenbriar Subdivision about potential egg mass sightings. In the conversation, Mr. Mierzejewski noted that the tree species found in the development are the ideal habitats for gypsy moths, noting their special preference for white oak trees. He added that there is currently no funding available from the Pennsylvania Department of Conservation and Natural Resources (DCNR) to support local abatement programs, which was further confirmed in a follow-up conversation I had with an agent of the Bureau of Forestry. This funding had been available in 2006, when the Township last partnered on a local mitigation effort.

DCNR continues to aerial spray thousands of acres of state forest each year to treat gypsy moth infestations. Additionally, the Department conducts an annual survey to identify egg masses, which are an early indicator of outbreaks in the following year. Provided with this memorandum is a map showing the results of the 2021 survey.

Gypsy moths lay eggs in the late spring. When larvae get begin to grow large through the ensuing summer months, defoliation of the surrounding trees is at its peak. There is a minimum threshold of 250 egg masses per acre that must be evident, and a minimum size of 25 acres for DCNR to consider abatement. Aerial spraying of BTK is very effective, but is generally non-discriminatory, and will kill other insects that feed on the same trees that are sprayed. However, the treatment is fairly localized, and is applied at a time when other insects are not feeding as heavily. In addition to artificial treatment, there are two natural killers of gypsy moths — including a pathogenic fungus (entomophaga maimaiga) that has been observed in the area, as well as a viral infection that is common in the population.

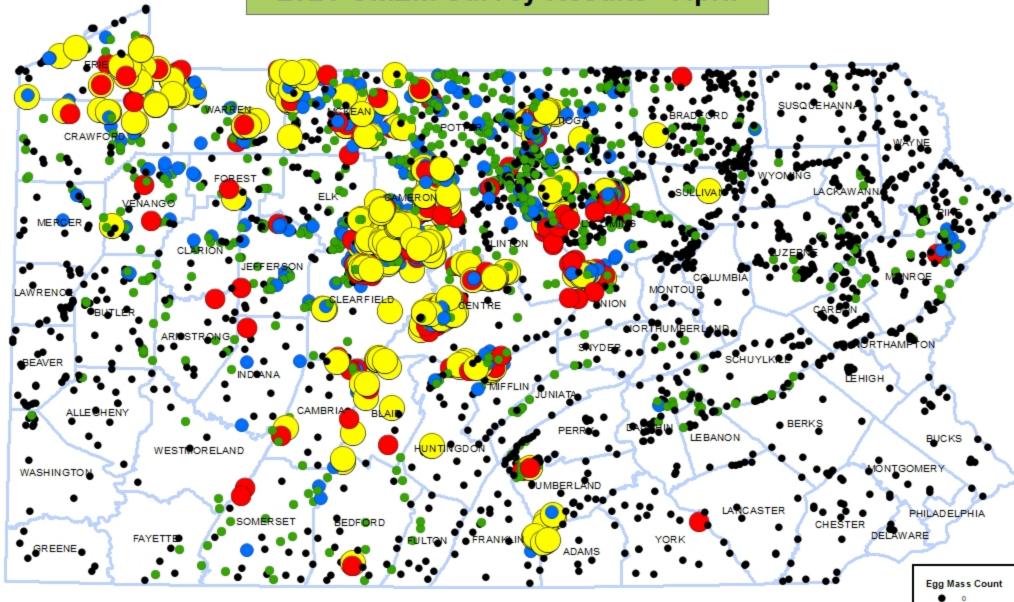
Mr. Mierzejewski conducted an informal survey of the Greenbriar and Park Forest areas on August 10<sup>th</sup>. In conducting his assessment, he spoke with a Greenbriar resident who had been involved in the abatement efforts in 2006. The resident observed some evidence of defoliation and gypsy moth droppings, but a very rapid cessation of activity, along with noticeable "caterpillar cadavers," a strong indicator of fungal pathogen death. Mr. Mierzejewski notes that there was no evidence of any moths that made it to pupation and adulthood. Similar findings were made in Park Forest and the surrounding areas.

In summary, while the survey conducted by Mr. Mierzejewski was not exhaustive, he found no reason for the Township to consider localized abatement in 2022. He confidently noted that there will be no locally produced gypsy moths in the development next year. Any coincidental infestation from the adjacent state game lands will almost certainly meet the same fate as the others and will be of insufficient number to cause any significant damage to the tree species.

Considering Mr. Mierzejewski's observations, I am recommending that the Board take no action toward aerial spraying in 2022. Should future indicators become concerning, there are firms that can be contracted for local abatement. However, this would be done entirely with Township funds, and it is unlikely that state aid will be available for this purpose.

Thank you.

## 2021 GMEM Survey Results - April



240 - 480

520 - 800



<b>RESOLUTION</b>	NO
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A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE YEARS 2022 THROUGH 2026.

**WHEREAS**, the Board of Supervisors of the Township of Ferguson hereby resolves that:

<u>Section 1</u>. The 2022 - 2026 Capital Improvement Program (CIP) Budget for the Township of Ferguson, as presented by the Township Manager and revised through September 7, 2021, at a Regular Meeting of the Board of Supervisors is hereby adopted.

**RESOLVED**, this 7<sup>th</sup> day of September, 2021.

#### **TOWNSHIP OF FERGUSON**

By:		
Laura	Dininni, Chair	
Board	of Supervisors	

[SEAL]

ATTE	ST:	
3y:		
, —	David Pribulka Secretary	

R	<b>FSOI</b>	.UTION	NO	
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A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, APPROVING A SETTLEMENT AGREEMENT WITH RESIDENTIAL HOUSING LAND, LLC AND RESIDENTIAL HOUSING DEVELOPMENT, LLC TO RESOLVE PENDING LITIGATION IN THE CENTRE COUNTY COURT OF COMMON PLEAS DOCKETS #19-3373, 19-3374, AND 19-3395.

**BE IT RESOLVED**, by authority of the Township of Ferguson, Centre County, Pennsylvania, and it is hereby resolved by authority of the same, that the Settlement Agreement between the Township of Ferguson and Residential Housing Land, LLC and Residential Housing Development, LLC, to settle pending litigation in the Centre County Court of Common Pleas filed to Dockets #19-3373, 19-3374, and 19-3395 ("Matters") be accepted and approved by the Township; and

**BE IT FURTHER RESOLVED**, that the Board Chair be authorized to execute the Settlement Agreement and the Matters settled on that basis with the execution of the appropriate documents by the litigants as more fully described in the Settlement Agreement.

**RESOLVED**, this 7<sup>th</sup> day of September, 2021.

#### **TOWNSHIP OF FERGUSON**

	By:
	Laura Dininni, Chair Board of Supervisors
[SEAL]	
ATTEST:	
By: David G. Pribulka, Secretary	

#### **SETTLEMENT AGREEMENT**

THIS SETTLEMENT	AGREEMENT (the "Agreement") made and entered into this
day of	, 2021 (the "Effective Date"), by and among <b>TOWNSHIP OF</b>
FERGUSON, a Second Class Township (Home Rule), with address at 3147 Research Drive,	
State College, Pennsylvania ("Township"),	

and

**RESIDENTIAL HOUSING LAND, LLC ("RHL"), and RESIDENTIAL HOUSING DEVELOPMENT, LLC, ("RHD"),** with business address of 1555 Palm Beach Lakes Blvd., Suite 1100, West Palm Beach, Florida (collectively, RHL and RHD are referred to as "Developer") (Township and Developer are each a "Party" and collectively the "Parties").

#### **RECITALS**

- A. In accordance with Township's Zoning Ordinance, specifically the provisions for Traditional Town Development (the "TTD Ordinance"), Developer submitted to the Township a Master Plan for a traditional town development titled Pine Hall Traditional Town Development (the "Master Plan") dated February 15, 2018 as updated on  $\pm 135$  acres of land located along Old Gatesburg Road and Blue Course Drive in Ferguson Township, more particularly described by the deeds recorded with the Recorder of Deeds of Centre County at Deed Book 1992, page 775 (Tax Parcel No. 24-004-022B and No. 24-004-015C), Deed Book 2250 Page 868 (Tax Parcel 24-4-17A) (the "Property").
- B. The Township approved the Master Plan as updated by written decision dated August 22, 2019 (the "Decision").
- C. The Decision was subject to three appeals to the Court of Common Pleas of Centre County:
  - 1. Nittany Valley Environmental Coalition ("NVEC") v. Township of Ferguson, Docket No. 2019-3395 (the "NVEC Appeal");
  - 2. *Circleville Road Partners, L.P. v. Township of Ferguson*, Docket No. 2019-3373 (the "Circleville Appeal") (collectively, the NVEC Appeal and the Circleville Appeal are referred to as the "Appeals"); and
  - 3. *Circleville Road Partners, L.P. v. Township of Ferguson*, Docket No. 2019-3374 (the "Circleville Sunshine Action").
- D. While the Appeals were pending before the Court of Common Pleas of Centre County, the parties to the Appeals submitted the Appeals to mediation before the Honorable Judge Rochelle Friedman.
- E. After the mediation sessions, the parties to the Appeals, through their attorneys, staff and consultants, have discussed various ways to settle the Appeals and the Circleville Sunshine Action.

- F. Based on such discussions, Developer has agreed to settlement terms with Circleville Road Partners, L.P. ("Circleville") which would result in a discontinuance of the Circleville Appeal and the Circleville Sunshine Action (the "Circleville Settlement").
- G. Further, based on such discussions, Developer has agreed to settlement terms with NVEC which would result in a discontinuance of the NVEC Appeal (the "NVEC Settlement").
- H. In order to implement the Circleville Settlement as well as the NVEC Settlement as a full and final settlement of the Appeals and the Circleville Sunshine Action, the Developer and the Township have negotiated and agreed to certain terms and conditions that would relate to the development of the Property with the approved Master Plan.
- I. The Parties desire to memorialize their understanding concerning such terms and conditions as set forth herein.
- NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and intending to be legally bound hereby, the Parties hereto agree as follows:
- 1. **RECITALS.** The foregoing recitals are incorporated herein by reference as if set forth fully herein and constitute a material portion of this Agreement.

#### 2. **NVEC APPEAL.**

- (a) The NVEC Appeal alleges, inter alia, non-compliance with the following provisions (collectively the "NVEC Objections"):
  - (i) Township Zoning Ordinance §27-701.3.A.c (relating to preservation and replacement of trees);
  - (ii) Zoning Ordinance §27-702.4.C.4(4) and §27-702.4.C.3.e (relating to landscaping plans);
  - (iii) Zoning Ordinance §27-702.4.C.(4) (relating to submission of documentation related to stormwater and erosion and sedimentation control, and traffic impact studies);
  - (iv) Pennsylvania Constitution, Article I, Section 27 (Environmental Rights Amendment); and
  - (v) Ferguson Township Home Rule Charter Community Bill of Rights,  $\S1.05(A)$ , (B), and (C).
- (b) As it relates to the Master Plan, settlement of the NVEC Appeal requires the Developer to increase the "tree-save" area from  $\pm 9$  acres to  $\pm 15$  acres as is generally set forth on the sketch plan in Exhibit "A", attached hereto, or in an alternate configuration selected by the Developer, provided that such overall tree-save area does not decrease below the  $\pm 15$  acres set forth in Exhibit "A". All "tree save" shall be in compliance with the "Tree preservation, protection and replacement" provision of

Township Ordinance Number 1067, Section 3, with the exception of provisions therein reflecting parking credits and provided that all "tree save" in addition to the amount agreed to herein, shall be subject to the requirements of Township's TTD Ordinance. Developer shall further be required to record a conservation easement or similar document for the area of "tree save" in accordance with Township Ordinances and this Agreement.

- (c) The Parties agree that submission and approval of a Specific Implementation Plan ("SIP") which implements the Increased Tree-Save, or saves additional tree areas, will not require any modification or additional approvals to the Master Plan. This shall only apply to this SIP and not any other changes that Developer may desire to make to the Master Plan and for which the Ordinance requires re-approval.
- (d) The Parties agree that while the Master Plan is in compliance with the Township Zoning Ordinance, implementation of the Increased Tree-Save satisfies the NVEC Objections and is in compliance with the Township Zoning Ordinance.
- (e) Developer confirms that its agreement with NVEC requires the discontinuance with prejudice of the NVEC Appeal and as required, appropriate joinder by other parties to the same, including the filing of a motion with the Court to approve the same as provided hereafter.

#### 3. **CIRCLEVILLE APPEAL.**

- (a) The Circleville Appeal alleges, inter alia, non-compliance with the following provisions:
  - (i) The Sunshine Act, 65 Pa. C.S. §703 (regarding notice of public meetings);
  - (ii) Township Zoning Ordinance §27-701.4.B(1) (requiring 80% of all residential units designed to permit fee-simple conveyance)
  - (iii) Township Zoning Ordinance §27-701.4.C.(1)(e)(1)(a) (maximum number of adjacent townhouse dwellings on a lot)
- (b) The Parties agree that approval of the Master Plan, and all notices provided for public meetings where the Master Plan was discussed were in compliance with the Sunshine Act §703.
- (c) The Parties agree that the Master Plan provides 80% of the residential units designed for fee-simple conveyance, and that a condominium unit can be owned and conveyed in fee simple.
- (d) The Parties agree that the Master Plan does not have more than 6 adjacent townhouse dwellings on an individual lot.

#### 4. <u>CIRCLEVILLE SUNSHINE ACTION.</u>

- (a) The Circleville Sunshine Action alleges non-compliance with the Sunshine Act, 65 Pa. C.S. §703 (regarding notice of public meetings).
- (b) The Parties agree that approval of the Master Plan, and all notices provided for public meetings where the Master Plan was discussed were in compliance with the Sunshine Act §703.

## 5. <u>SETTLEMENT OF CIRCLEVILLE APPEAL AND CIRCLEVILLE</u> <u>SUNSHINE ACTION.</u>

- (a) To settle the Circleville Appeal and Circleville Sunshine Action, Developer is entering into an agreement whereby Developer purchases the undeveloped lands of Circleville known as the Turnberry TTD Master Plan ("Turnberry"). As part of such purchase, Developer has agreed to assume Circleville's deferred obligations to provide workforce housing within its development (said obligations created as part of the already developed portion of Turnberry). As part of the agreement between Circleville and Developer, the actions referenced in Sections 3 and 4 aforesaid will be discontinued with prejudice by Circleville and other parties, as may be required, to join in the same.
- (b) As it relates to deferred workforce housing obligations in Turnberry, the Parties agree that the following provisions will apply:
  - (i) The terms and conditions of Ordinance No. 1065 shall apply with the modifications provided herein.
  - (ii) The deferred workforce housing obligation on Circleville lands will be satisfied by the following:
    - 1) For single family attached/detached workforce housing units, the obligation can be met by construction of single family attached/detached workforce housing units, or payment of a fee-in-lieu in the amount of \$75,000 for each unit not so constructed.
    - 2) For multi-family workforce housing units, the obligation can be met by construction of multi-family workforce housing units, or payment of a fee-in-lieu in the amount of \$37,500 for each unit not so constructed.
  - (iii) The entire deferred workforce housing obligation shall be satisfied, either by payment of fee-in-lieu, or construction of workforce housing units, or a combination of the two, as part of the first Specific Implementation Plan on the undeveloped lands of Circleville being purchased by Developer.
  - (iv) None of the terms herein shall apply to future undeveloped phases of Turnberry.
- (c) As it relates to workforce housing on the Property, the Parties agree that the following provisions will apply:

- (i) The terms and conditions of Ordinance No. 1065 shall apply with the modifications provided herein.
- (ii) The workforce housing obligation on the Property will be satisfied with the following:
  - 1) For workforce housing units within Phase 1 and Phase 2, the obligation can be met by construction of a workforce housing unit, or payment of a fee-in-lieu of \$37,500 for a rental unit, or payment of a fee-in-lieu of \$75,000 for a for-sale unit.
  - 2) For workforce housing within Phase 3, the obligation can be met by construction of a workforce housing unit, or payment of a feein-lieu of \$53,000 for a rental unit, or \$86,775 for a for-sale unit (or the then-current amount for either, if greater).
- (iii) When a SIP is submitted for any of the phases, RHD shall designate the location and type of workforce housing units (for sale or rental) within the phase, along with the exact number of required workforce housing units, accounting for implementation of the Increased Tree-Save and the corresponding loss of residential units from that shown on the Master Plan.
- (iv) The one (1) year marketing period set forth in Zoning Ordinance §27-716 (10) (A) shall commence upon the start of construction of the workforce housing unit and not from the final certificates of occupancy.
- (v) The thirty (30) day notification period set forth in Zoning Ordinance §27-716 (10) (A) shall commence eleven (11) months into the Developer's marketing period, and not upon expiration of the marketing period.
- (vi) Except as provided herein, Developer shall comply with all aspects of the Township Workforce Housing Ordinance No. 1065 for the Property and Turnberry.
- 6. <u>COURT APPROVAL OF AGREEMENT</u>. Within ten (10) days of the execution of this Agreement, counsel for the Parties and NVEC shall submit a joint motion to the Court of Common Pleas of Centre County for the Court to approve this Agreement in connection with closure of the NVEC Appeal. The motion shall also include a stipulation that approval by the Court shall operate as a full settlement and discontinuance of the NVEC Appeal. The Circleville Appeal and Circleville Sunshine Action will both be discontinued with prejudice by Circleville, and the joinder of the Parties if required by the Pennsylvania Rules of Civil Procedure.
- 7. <u>COOPERATION BETWEEN THE PARTIES</u>. The Parties agree to cooperate and perform their obligations undertaken pursuant to this Agreement in good faith in the submission, processing, review and approval of (i) the future SIPs and supporting documents which will be filed for development of the Property consistent with the approved Master Plan, as herein modified; and (2) any future Master Plan and subsequent SIPs and supporting documents

which will be filed for development of the acquired undeveloped Circleville property. All of the foregoing, except as may be modified by terms provided herein, will be reviewed in accordance with Township Ordinances and requirements of same.

- 8. <u>CONFIDENTIAL PROCEEDINGS.</u> The Parties agree that they are proceeding with this Agreement with the understanding that all aspects of the settlement process shall be and are to remain confidential to the maximum extent allowable under law. While, pursuant to proper request, this Agreement may be disclosed pursuant to the State Right to Know Law, the reviews or plans exchanged pursuant to this Agreement, or any other information related to this Agreement and the settlement process shall not be disclosed at a public meeting, to the press, or otherwise disseminated to the public as such represent the ongoing settlement discussions between the Parties. Nothing submitted, discussed or stated by either Party shall be construed as an admission by that Party for any reason, including, but not limited to ordinance interpretation, or how the Property and/or Turnberry may be developed. The Parties acknowledge that this Agreement will be made publicly available through the Township's agenda process.
- 9. **FEES AND EXPENSES.** Each party shall bear its own legal fees resulting from the negotiations between the parties up to through the drafting and review, and the court approval of this Agreement.

10.	APPROVAL BY TOWNSHIP	. This Agreement was approved by the E	oard of
Supervisors	of Ferguson Township at a properl	y advertised public meeting held on the _	day
of	, 2021.		

# 11. MISCELLANEOUS.

- (a) This Agreement may be signed in counterparts.
- (b) Captions preceding the text of each section are included only for convenience of reference.
- (c) This Agreement contains the entire agreement of the parties with regard to the above-stated subject matter hereof and shall be binding upon the parties and their respective heirs, successors and assigns.
- (d) No modification or amendment of this Agreement shall be effective without the written consent of both parties.
- (e) This Agreement shall be interpreted under the laws of the Commonwealth of Pennsylvania.

[Remainder of Page Blank – Signatures Follow]

IN WITNESS WHEREOF, the parties hereto have executed and sealed this Agreement the day first above written.

ATTEST	FERGUSON TOWNSHIP
	By:
	Name: Title:
	RESIDENTIAL HOUSING LAND, LLC
	By: Name: Title:
	RESIDENTIAL HOUSING DEVELOPMENT, LLC
	By:
	Name: Title:

# EXHIBIT "A"

# INCREASED TREE-SAVE SKETCH PLAN



#### **ADDENDUM TO AGREEMENT**

THIS ADDEDDUM TO AGREEMENTS is made this \_\_\_\_\_\_ day of September, 2021, by and between The Pennsylvania State University, a non-profit corporation with offices at 208 Old Main, University Park, Pennsylvania (hereinafter referred to as "Penn State") and Ferguson Township, a home rule municipality, having offices at 3147 Research Drive, State College, Pennsylvania (hereinafter referred to as "Township") (collectively referred to as the "Parties").

## **WITNESSES**

Hearing testimony was offered by Jenna Wargo, Director of Planning and Zoning, Ferguson Township and on behalf of the applicant, Penn State, Neil Sullivan, University Planner.

### **EXHIBITS**

Ferguson Board of Supervisors received into evidence Joint Exhibits consisting of the following:

- 1. Planning Staff Summary and Findings of Fact;
- 2. Aerial View of the subject lot;
- 3. Section §27-304.2.E. Ferguson Township Zoning Ordinance;
- 4. Conditional Use Application and supporting documents submitted by Penn State.
- 5. 2011 Conditional Use Agreement and the 2014 addendum to the agreement

#### **BACKGROUND**

- 1. Penn State owns a certain parcel of real property (24-004-051C) with a building constructed thereon (the "Building") located at 1445 West College Avenue, State College (Ferguson Township), Pennsylvania (the "Property").
- 2. On November 7, 2011, Penn State and the Township entered into an agreement to grant Penn State's application for Conditional Use for the Building and Property, subject to the terms and conditions set forth therein (the "Agreement"). A copy of the Agreement is attached hereto and made part hereof as Exhibit "5".
- 3. On August 26, 2014, Penn State and the Township entered into an Addendum to the November 7, 2011 Agreement to grant Penn State's application to use the 7,800 square feet of space located on the ground floor of the Building for a mixed martial arts studio, subject to the terms and conditions set forth there in (the "2014 Addendum"). A copy of the 2014 Addendum attached hereto and made part hereof as Exhibit "5".
- 4. The Agreement and the 2014 Addendum are set to expire on December 31, 2021.
- 5. On July 27, 2021 Penn State filed an application with the Township for approval of an addendum to the Agreement and the 2014 Addendum to continue both uses at the Building and the Property.
- 6. On August 16, 2021 the Township conducted a public hearing on the addendum to the conditional uses and has agreed to grant Penn State's application for the conditional uses to continue subject to the terms and conditions set forth herein.

**NOW, THEREFORE,** in consideration of the mutual promises contained herein, and intending to be legally bound, the Parties agree as follows:

- 1. <u>Usability Retail Space</u>. Penn State shall use the 7,800 square feet of space located on the ground floor of the Building as more specifically described in the Plan attached to the Agreement as Exhibit "5" for a mixed martial arts studio.
  - a. The studio shall be used for training and instruction and shall not be used as a place of assembly.
  - b. This use is permitted under the terms and conditions outlined within the 2014 Addendum and for the duration of three (3) years from December 31, 2021.
- 2. <u>Usability</u>. Penn State shall use the 8,500 square feet of portion of the building as described on the Building Plan in the Agreement for the purpose of storing, maintaining and repairing golf carts, tractors, mowers and other golf course related equipment and ancillary office use in support of the Penn State golf course.
  - a. This use is permitted under the terms and conditions outlined within
    the Agreement and for the duration of three (3) years from December
    31, 2021.

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

WITNESS:	THE PENNSYLVANIA STATE UNIVERSITY:	

WITNESS: FERGUSON TOWNSHIP

David Pribulka Secretary Laura Dininni, Chair Board of Supervisors



# ADDENDUM TO CONDITIONAL USE PERMIT FOR STORAGE, MAINTENANCE, REPAIR FACILITY AND MIXED MARTIAL ARTS STUDIO: THE PENNSYLVANIA STATE UNIVERSITY

Hearing Date: August 16, 2021

This document is a series of facts related to the conditional use application for The Pennsylvania State University (Penn State), presented on behalf of the Township's Planning & Zoning Department, and entered as **Exhibit #1** for this Conditional Use Hearing.

- 1. The subject of this hearing is The Pennsylvania State University (PSU), located at 1445 West College Avenue (24-004-,051C-,0000-), approximately 1.2 acres.
- 2. The subject property is located within the Terraced Streetscape (TS) Zoning District.
- 3. There are two existing conditional uses on the property. One dated November 7, 2011 for the use of the property as a golf course maintenance facility (8,500 SQFT) and one dated August 26, 2014 for the use of the property as a Mixed Martial Arts studio (7,800 SQFT).
- 4. The November 7, 2011 conditional use agreement included a condition that only allowed the golf maintenance facility use to continue for a 10 year period and the retail use, Mixed Martial Arts studio, could continue for an additional 5 year term subject to the approval of the Board of Supervisors (Nov. 7, 2011 Agreement; paragraph 1(b)(ii)). Both agreements expire on December 31, 2021.
- 5. On July 27, 2021, Penn State submitted a Conditional Use Application to continue the use of a Storage, Maintenance and Repair Facility within 8,500 square feet of the building (2011 agreement), as well as a conditional use for the Mixed Martial Arts studio (2014 agreement), in accordance with Chapter 27-304.2.E.(1) and (2).
- 6. A conditional use is a land use that is permitted in a specified zoning district, and one that is subject to additional zoning requirements that applicants must meet as part of the conditional use process. Approval of a conditional use permit does not equate to zoning permit approval and it is a necessary step in the process for a Storage, Maintenance and Repair Facility.
- 7. The Ferguson Township Zoning Ordinance (§27-304.2.E.) allows for conditional uses to be permitted only upon a lot or combined lots, that total one acre or larger upon approval by the Board of Supervisors for any use not expressly permitted (§27-304.2.E.(1)) or prohibited (§27-304.2.E.(2)) in the Terraced Streetscape District. A Storage, Maintenance and Repair Facility and Mixed Martial Arts studio are not included in the list of permitted or prohibited uses.
- 8. The conditional use provisions require the Board of Supervisors to hold a public hearing on the application and decide if the request is in accordance with the express standards and criteria provided in the Township's Zoning Ordinance. The Board of Supervisors has 45 days following the hearing to render a decision.
- 9. Reasonable conditions and safeguards, other than those related to off-site transportation improvements, in addition to those expressed in the zoning ordinance, can be attached to the conditional use permit as the Board may deem necessary for the health, safety, and welfare of the municipality. The conditions must be reasonably related to a valid public interest established in the record of the application.
- 10. **Exhibit #2** is an aerial view using Centre County's Webia Mapping Application with the subject lot highlighted in green.

- 11. **Exhibit #3** is §27-304.2.E. of the Township's Zoning Ordinance. This section provides the criteria applicants must meet in order to obtain conditional use approval.
- 12. Exhibit #4 is the application submitted by Penn State for the conditional use permit.
- 13. Exhibit #5 is the 2011 Conditional Use Agreement and the 2014 addendum to the agreement.
- 14. Township Staff have reviewed the conditional use proposal for consistency with the stated intent of the Terraced Streetscape Zoning District, and the application of appropriate design criteria as provided in Chapter 22-5A—Design Standards for Development in the Terraced Streetscape District. The following is a review of how the project meets the conditional use criteria.

#### Staff's review of the conditional use proposal:

The proposed Storage, Maintenance and Repair Facility and Mixed Martial Arts studio uses are consistent with the stated intent of the Terraced Streetscape (TS) Zoning District and they provide a complementary balance of land uses throughout the community meeting the needs of existing residents and businesses.

This district strives to encourage a wide variety of commercial services, in appropriate locations, and to support a diverse range of business activities including professional, technical, and medical/health services. A Storage, Maintenance and Repair Facility and Mixed Martial Arts studio at this location will provide an efficient means of servicing golf carts in close vicinity of where they're being utilized, as well as, allowing a local business to continue to thrive at this location.

Given that both uses are continuing at the site and the Township is rewriting the Terraced Streetscape Ordinance, staff is recommending an addendum to these agreements to permit the uses to operate for another five years at this location.

15. Staff's conclusion is that the proposal meets the vast majority of the conditional use criteria. Therefore, approval of the conditional use permit is recommended.

#### Staff recommends placing the following conditions on the addendum to the agreement:

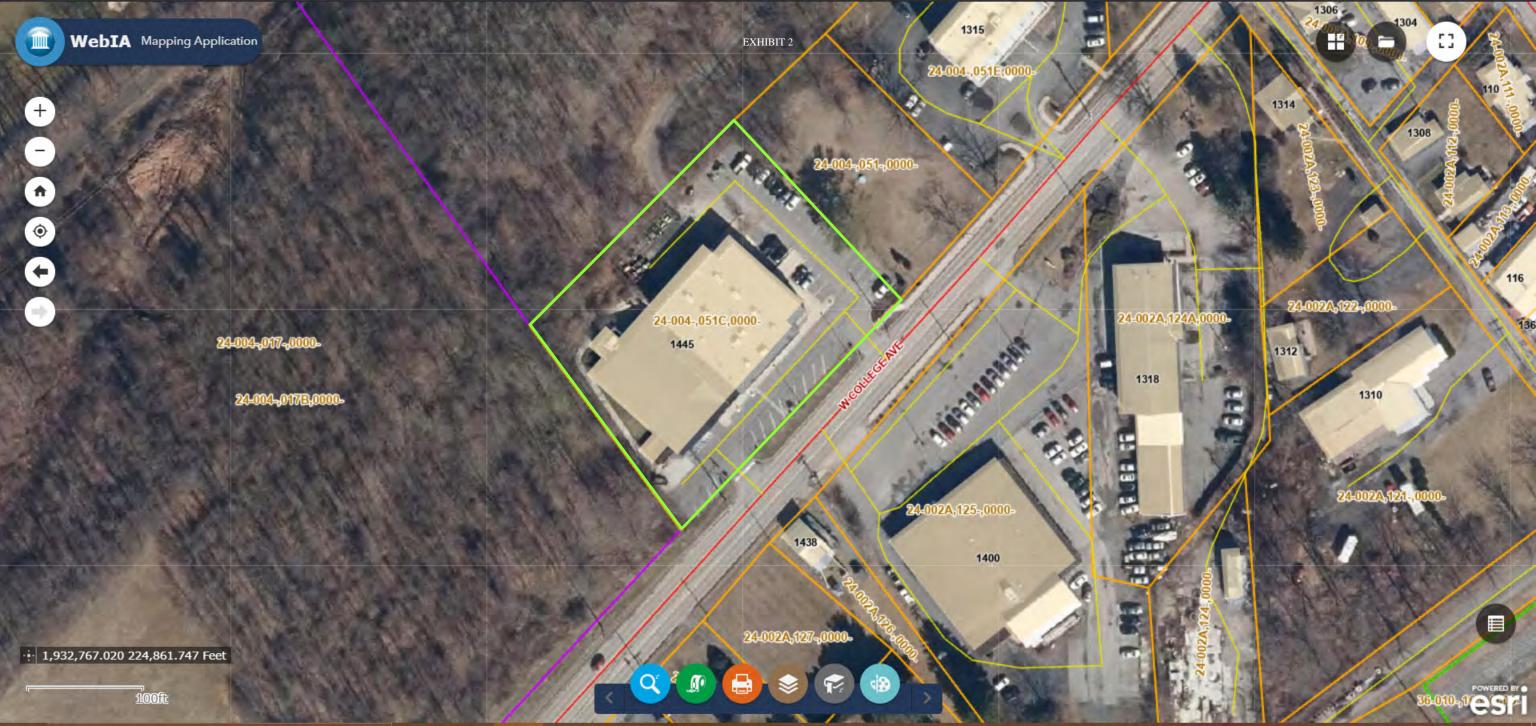
- <u>Conditional-Retail Use.</u> Penn State shall use the 7,800 square feet of space located on the ground floor of the building as more specifically described in the plan attached in **Exhibit** #5 for Mixed Martial Arts studio and other permitted principal uses a permitted in the Terraced Streetscape District. The studio shall be used for training and instruction and shall not be used as a place of assembly.
  - o Penn State's right to such Conditional Use will be for a minimum term of five (5) years from the date of this agreement.
- Conditional-Maintenance, Repair and Storing Use. Penn State may use a portion of the building not exceeding 8,500 square feet as described on the in the plan attached in Exhibit #5 for the purpose of storing, maintaining, and repairing golf carts, tractors, mowers and other golf course related equipment and ancillary office use in support of the Penn State golf courses under the following terms:
  - o Penn State's right to such Conditional Use will be for a minimum term of five (5) years from the date of this agreement.
  - Notwithstanding the provision listed above, the Conditional Use shall cease if
     Penn State discontinues using a minimum of 80% of the said 8,500 square feet

for the storage and maintenance of golf equipment for a period exceeding 90 days.

All conditions included in the 2011 Conditional Use Agreement and the 2014 Addendum
to install the streetscape improvements, landscaping, parking, and building addition
apply to this addendum.

# These conditions may be placed on the permit as well as any other reasonable conditions the Board of Supervisors may wish to attach.

- 16. Planning Commission reviewed the recommended conditions at the August 9, 2021 Regular Meeting and recommended approval to the Board of Supervisors.
  - a. Discussion by the Planning Commission included the original agreement as a temporary solution for Penn State and the University should be looking at a more permanent solution.
  - b. Neil Sullivan, University Planner—The Pennsylvania State University, provided Planning Commission with Penn State's timeline to identify a more permanent option.



- (17) Bank or financial office with no drive-through.
- (18) Eating and licensed drinking establishments with no drive-through.
- (19) Salon or spa.
- (20) Medical/dental office.
- (21) Structured parking when provided as part of or accessory to a proposed vertical mixed-use structure.
- (22) Multifamily dwelling units (other than university housing) only if part of a vertical mixed-use structure; no more than three unrelated individuals may reside in each dwelling unit.
- (23) Gallery, handicraft, art, or photography studio, professional office for accountant, architect, attorney or similar profession.
- (24) Uses associated with private or public institutes of higher education; in this zoning district, these shall be limited to the following principal uses: classrooms, research facilities and labs; administrative and faculty offices, and residence halls for graduate and undergraduate student housing only when staffed, owned and operated by the university which the students attend.
- Lots up to and Including .39 Acres. The permitted principal uses as set forth in § 27-304, Subsection 2A(1) through (6) only.
- Lots from .40 Acres, Up to and Including Lots of .99 Acres. The permitted principal uses as set forth in the chapter, subject to the following:
  - (1) Any structure that will be located on the corner of a lot that is at least 0.40 acres in size and that involves an intersection with West College Avenue must address both frontages (no blank walls) and be a minimum of 55 feet in height. The structure shall be designed in accordance with the applicable provisions of Chapter 22. The facade of buildings on corner lots may be accentuated by towers, corner building entrances or other distinctive elements; however, all structures on such lots shall be designed to architecturally enhance the corner location and all effort shall be made to ensure that such structure is a signature building within the district.
  - (2) The entire first floor of all structures located on lots that have frontage on West College Avenue must be devoted to retail or commercial uses permitted in the district.
    - (a) To allow pedestrian access to office, hotel, or residential uses located above street level, lobbies may be allowed within the required retail storefront space, provided that street frontage of the lobby is limited relative to the property's overall retail frontage and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.
  - (3) Any vertical mixed-use building not fronting on West College Avenue must dedicate a minimum of 50% of the first floor square footage of the building to nonresidential uses as specified.
- Lots or Combined Lots Totaling 1 Acre or Larger. All permitted principal uses as set forth above subject to the same criteria as identified in § 27-304, Subsection 2C(1) through (3) above.
- Conditional Uses. All of the following conditional uses shall be permitted only upon a lot, or combined lots, that total one acre or larger upon approval by the Board of Supervisors:
  - Any use not specifically permitted within the TS District that is deemed to be an acceptable use due to its consistency with the stated intent of the district, and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.
  - (2) Any use not specifically excluded in § 27-304, Subsection 2F, that would be deemed to be an acceptable use within the TS District and is consistent with the stated intent of the district and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.



# **TOWNSHIP OF FERGUSON**

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

# CONDITIONAL USE APPLICATION REQUEST FOR FERGUSON TOWNSHIP

	Submittal Date:			
Application Fee: Please refer to the	Township's Fee Schedule fo	r the correct ar	mount.	
Applicant Information				
The Pennsylvania State Univers	ity			
Name				
208 Old Main	Univeristy Park	PA	16802	
Street Address	City	State	Zip	
814-863-5397				
Phone Number				
Property Information				
24-004-051C	1.27 acres	Terraced S	treetscape	
Tax Parcel Number	Lot Size	Zoning District		
1445 W College Ave	State College	PA	16801	
Property Location (Address)	City	State	Zip	
Is this a changed use? No				
What do you propose to do on the Storage, maintenance and repair of go		7,542 sf) with a	ncillary office	
and retail use (7,800/sf). Golf course e				
Are there existing buildings on the	lot? If so, how many?			
	St. one building			

What size(s) are the existing buildings (square feet)? 25,342 sf	
If proposing a building, please state the size (square feet).	
If proposing a parking lot, please state the size, how many cars can be (including handicap accessible), and how many employees you hope	
Please explain how the proposed project will not subsequently alter the neighborhood.  Granting this extension wouls allow Penn State to utilize the box	-
with the existing 11/7/2011 conditional use agreement betwee	n the university and Ferguson
Township.	
I hereby certify that all of the above statements contained in any particle herewith are true to the best of my knowledge and belief. I understate be required and made separately from this application.	•
Owner/Applicant Name	Date
WAIVER OF STENOGRAPHER RECORD	
I agree to waive the requirements of Section 908 of the Pennsylvani Code which requires that a stenographic record of the proceedings le record of the proceedings be prepared from a tape recording of the secretary's minutes.	oe made, and consent that a
Applicant's Signature:	
Date:	

-For Office Use Only-			
Date Received: July 27, 2021	By: <u></u>	lenna Wargo	
Date Paid: July 22, 2021	Check No.: CC	Amount: \$500.00	
Advertisement Dates: 7/30/21 & 8/6/21 Planning Commission Review Date: 8/9/21			
Board of Supervisors Meeting Date: 8/16/21			

Ferguson Township 3147 Research Drive State College, PA 16801 814-238-4651 814-238-3454 (fax) www.twp.ferguson.pa.us	
000000	
Receipt No. 00018851	
07/22/2021 04:04 PM	
Carl Heck	
01 Conditional U se Permit/PSU Go lf Storage	500.00

Check #
Receipt Total 500.00
Payment Total 500.00

Thank you!

#### ADDENDUM TO AGREEMENT

THIS ADDENDUM TO AGREEMENT is made this 26th day of August, 2014, by and between The Pennsylvania State University, a non-profit corporation with offices at 208 Old Main, University Park, Pennsylvania (hereinafter referred to as "Penn State") and Ferguson Township, a home rule municipality, having offices at 3147 Research Drive, State College, Pennsylvania (hereinafter referred to as "Township") (collectively referred to as the "Parties").

#### BACKGROUND

- 1. Penn State owns a certain parcel of real property [24-004-051C] with a building constructed thereon (the "Building") located at 1445 West College Avenue, State College (Ferguson Township), Pennsylvania (the "Property").
- 2. On November 7, 2011, Penn State and the Township entered into an agreement to grant Penn State's application for Conditional Use for the Building and Property, subject to the terms and conditions set forth therein (the "Agreement"). A copy of the Agreement is attached hereto and made a part hereof as Exhibit "1".
- 3. The Agreement, in paragraph 1(a) provides that Penn State shall use
  7,800 square feet of space located on the ground floor of the Building "for retail purposes and other permitted principal uses as permitted in the Terraced Streetscape Zoning
  District."
- 4. The 7,800 square feet of space located on the ground floor, is included in Schedule "A" List of In-Lieu Properties, pursuant to the Mutual Release and Settlement Agreement dated July 8, 2008, included in Exhibit "2".

- 5. Penn State has requested that the Township permit, as a conditional use, a mixed martial arts studio in the 7,800 square feet of space located on the ground floor of the Building which, in the Agreement, has been designated for retail purposes and other permitted principal uses.
- 6. A mixed martial arts studio is not specifically permitted within the Terraced Streetscape District; however, such a use is also not specifically excluded. As a result, pursuant to sections 27-703.2.e. (1) and (2) such a use may be permitted as a conditional use.
- 7. Penn State has filed an application with the Township for approval of a mixed martial arts studio as a conditional use and the Township has agreed to grant Penn State's application for conditional use subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and intending to be legally bound, the Parties agree as follows:

1. <u>Usability</u>. Penn State shall use the 7,800 square feet of space located on the ground floor of the Building as more specifically described in the Plan attached to the Agreement as Exhibit "B" for a mixed martial arts studio. The studio shall be used for training and instruction and shall not be used as a place of assembly.

#### 2. Parking.

a. Penn State shall post surety in a form acceptable to the Township within one year of the occupancy of the 7,800 square feet as a mixed martial arts studio and install landscaping on the east side of the Property in accordance with section 3(a) of the Agreement.

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

WITNESS:

THE PENNSYLVANIA STATE UNIVERSITY

ZHM. Finds

David J. Gray
Sr. Vice President for
Finance & Business
Treasurer
Penn State University

WITNESS:

FERGUSON TOWNSHIP

Richard Mascolo

#### Exhibit "1"

## AGREEMENT

THIS AGREEMENT is made this 7th day of November, 2011, by and between The Pennsylvania State University, a non-profit corporation with offices at 208 Old Main, University Park, Pennsylvania (hereinafter referred to as "Penn State") and Ferguson Township, a home rule municipality, having offices at 3147 Research Drive, State College, Pennsylvania (hereinafter referred to as "Township").

#### RECITALS

- A. Penn State owns a certain parcel of real property [24-004-051C] with a building constructed thereon (the "Building") located at 1445 West College Avenue, State College (Ferguson Township), Pennsylvania, as more specifically described on Exhibit "A" attached hereto (the "Property").
- B. Penn State filed an application with the Township for approval of a conditional use pursuant to Section B (5) of the Terraced Streetscape District ("TS") provisions of the Township's Zoning Ordinance (Ordinance 944), to permit the use of a portion of the Building for storage, maintenance and repair of golf course related equipment with ancillary office and retail use (referred to herein as the "Conditional Use").
- C It is the Township's long range intention to achieve a streetscape design consistent with the design guidelines included in Ordinance 944.
- D. Following discussions and negotiations between representatives of Penn State and staff and elected officials of the Township, the Township has agreed to grant Penn State's application for Conditional Use subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and intending to be legally bound, the parties agree as follows:

# 1. Use of Building.

- Retail Use. Penn State shall use the 7,800 square feet of space located on the ground floor of the Building as more specifically described in the Plan attached hereto as "Exhibit "B" (the "Building Plan") for retail purposes and other permitted principal uses as permitted in the Terraced Streetscape Zoning District.
- b) Conditional Use. Penn State may use a portion of the Building not exceeding 8,500 square feet as described on the Building Plan for the purpose of storing, maintaining and repairing golf carts, tractors, mowers and other golf-course related equipment and ancillary office use in support of the Penn State golf courses under the following terms:
  - i) Penn State's right to such Conditional Use will be for a minimum term of ten (10) years from the date of this Agreement.
  - ii) If the retail portion of the Building as described in subparagraph (a) remains occupied for a continuous period of five (5) years, during the initial ten (10) year period, the Conditional Use may continue at the conclusion of such ten (10) year period, for an additional five (5) year term subject to the approval of the Board of Supervisors.
  - iii) Notwithstanding the provisions of subparagraphs (i) and (ii) above, the Conditional Use shall cease if Penn State discontinues using a minimum of 80% of the said 8,500 square feet for the storage and maintenance of golf equipment for a period exceeding 90 days.
- 2. <u>Sidewalk Construction</u>. Penn State will construct a 12 feet wide sidewalk and install landscaping on the Property substantially in accordance with the Sidewalk Plan attached

hereto as Exhibit "C" no later than ninety (90) days following the Township's delivery of design details setting forth the location of the sidewalk and landscaping; provided, however, that the ninety (90) day period will be extended as reasonably required to accommodate seasonal weather conditions. At the time this sidewalk is constructed, Penn State shall reduce access to the Property from West College Avenue to one access driveway.

- 3. Parking. There are presently a total of 46 on-site parking spaces located on the Property, 16 of which are located at the front of the Building (the "Front Lot") and 30 of which are located at the east side of the Building (the "Side Lot"). The parties agree as follows with respect to the said parking lots:
  - a) Penn State will install landscaping within the Side Lot equal to five (5%) percent of the total area of the Side Lot pursuant to the Side-Lot Parking Plan attached hereto as Exhibit "D", such work to be completed upon occupancy of the building.
  - b) Upon receipt of the Parking Strategy, Penn State will remove the impervious area/parking spaces within the Front Lot and landscape the same in accordance with the Front Lot Parking Plan attached hereto as Exhibit "B". The uses described in Paragraphs 1(a) and (b) will thereafter continue to be permitted based on the 30 remaining on-site parking spaces located on the Side Lot, which are six (6) spaces less than the 1 space per 500 square foot presently required under the TS regulations.

## 4. <u>Construction of Addition.</u>

a) Penn State agrees to complete construction of an approximately 7,000 square foot addition (the "Addition") to the portion of the Building adjoining West College Avenue, so that the front of the Building will be at the Property's front property line, no later than December 31, 2021. The design of the Addition will be consistent with

the design standards of the TS as specified in Part 5A of Chapter 22 of the Township

Code of Ordinances; provided, however, that if the said ordinance is hereinafter amended,

Penn State may at its option either comply with the modified requirements or the

requirements as set forth in the present Ordinance.

- b) Notwithstanding the provisions of Paragraph 4(a), if the Streetscape

  Design detail is not available from the Township by December 31, 2021, Penn State's obligation to construct the Addition will be suspended as reasonably required to assure that the Streetscape improvements associated with the existing parcel can be completed by the University with the appropriately engineered design.
- c) If the Township's Streetscape Design Detail for the TS does not provide for on-street parking, the construction of the Addition will be contingent upon the development of a Parking Strategy within the TS that will address any shortfall associated with the required parking for the retail use that occupies the Addition.
- 5. Surety. Penn State agrees to post surety for completion of its obligations under Paragraphs 2, and 3 of this Agreement pursuant to the requirements of the Pennsylvania Municipalities Planning Code.
- 6. Binding Effect. This Agreement shall be a covenant running with the current land owner, and will be binding upon the parties, their successors, and assigns only as long as the herein permitted conditional use occupies the building. Unless the improvements required in Paragraphs 2, 3, and 4 of this Agreement have been completed, the use shall not be continued by the landowner, their successors or assigns.
- Recordation. The parties agree that this Agreement will be recorded with the Recorder of Deeds of Centre County.

- 8. <u>Definitions.</u> The parties agree to the following definitions of the terms used herein:
  - a. Parking Strategy to include the identification of the availability of on-street parking, the availability of shared parking opportunities with other sites in the corridor and/or the availability of parking in a structure parking facility
  - b. Streetscape Design Detail the engineered design of the area between the building facades within that portion of the West College Avenue corridor that falls within the TS District.
- 9. <u>Butire Agreement.</u> This Agreement constitutes the entire agreement between the parties with respect to the matters referenced herein and otherwise assumes full compliance with the design standards of the Terraced Streetscape Zoning District.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

WITNESS:	THE PENNSYLVANIA-STATE UNIVERSITY
Diane K. Keshvari	By Sup J. Garesen
	Joseph J. Doncsecz, Associate Vice President for Finance and Corporate Controller
ATTEST:	FBRGUSON TOWNSHIP
Mark a truth	By: George Cyto
	George Pytel, Chairman

COMMONWEALTH OF PENNSYLVANIA	)
COUNTY OF CENTRE	) ss: )

On this, the 10th day of 1000mber 2011, before me, a Notary Public, the undersigned officer, personally appeared Joseph J. Donesecz, who acknowledged himself to be the Associate Vice President for Finance and Corporate Controller of The Pennsylvania State University, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

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

Mona (). MOO [SEA

My Commission Expires: April 18, 2015

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Donns A. Jones, Notary Public

State College Boro, Centre County

Ny Commission Explose April 19, 2015

COMMONWEALTH OF PENNSYLVANIA	)
COUNTY OF CENTRE	) ss; )

On this, the 18th day of November 2011, before me, a Notary Public, the undersigned officer, personally appeared George Pytel, who acknowledged himself to be the Chairman of the Ferguson Township Board of Supervisors, a home rule municipality, and that in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the municipality by himself in such capacity.

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

My Commission Expires: 8-23-12

COMMONWEALTH OF PENNSYLVANIA

Rotertal Seaf

Angels J. Kelko, Notary Public

Farguson Twp., Centre County

My Commission Expires Aug. 23, 2012

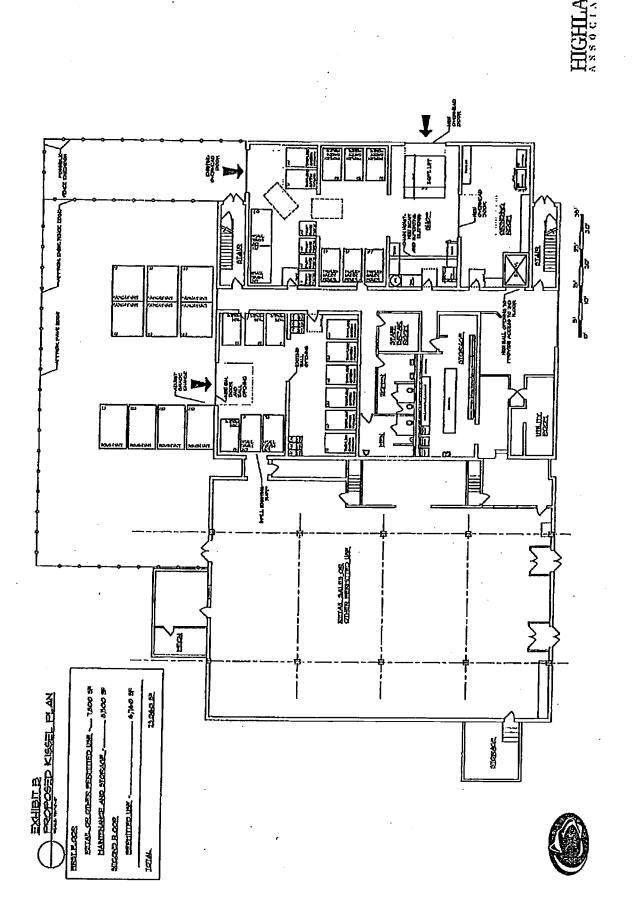
Member, Pennsylvania Association of Notaries

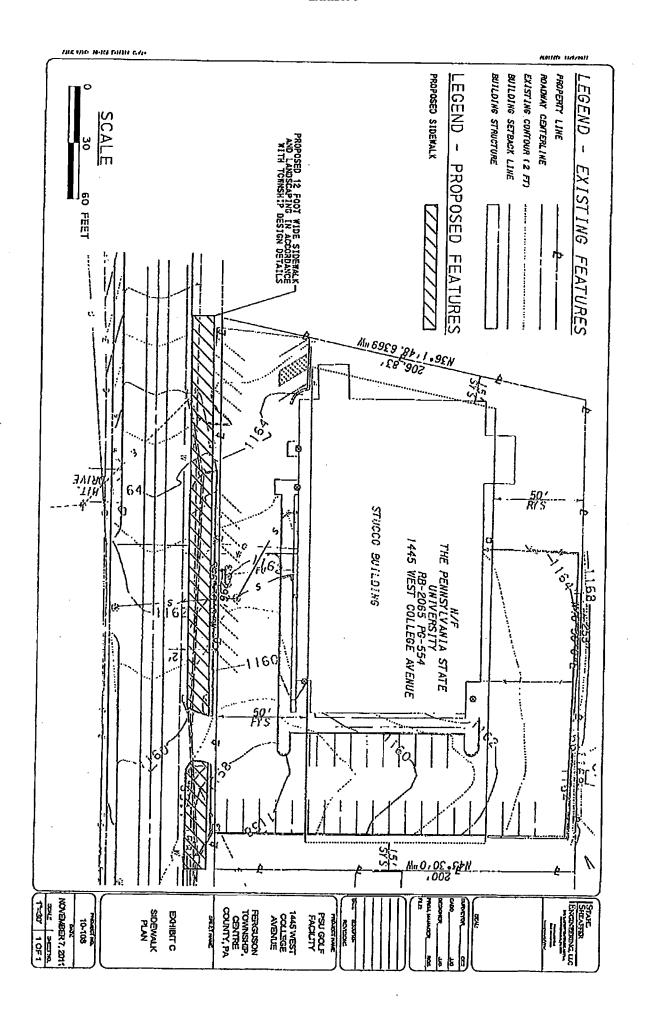
#### Exhibit A

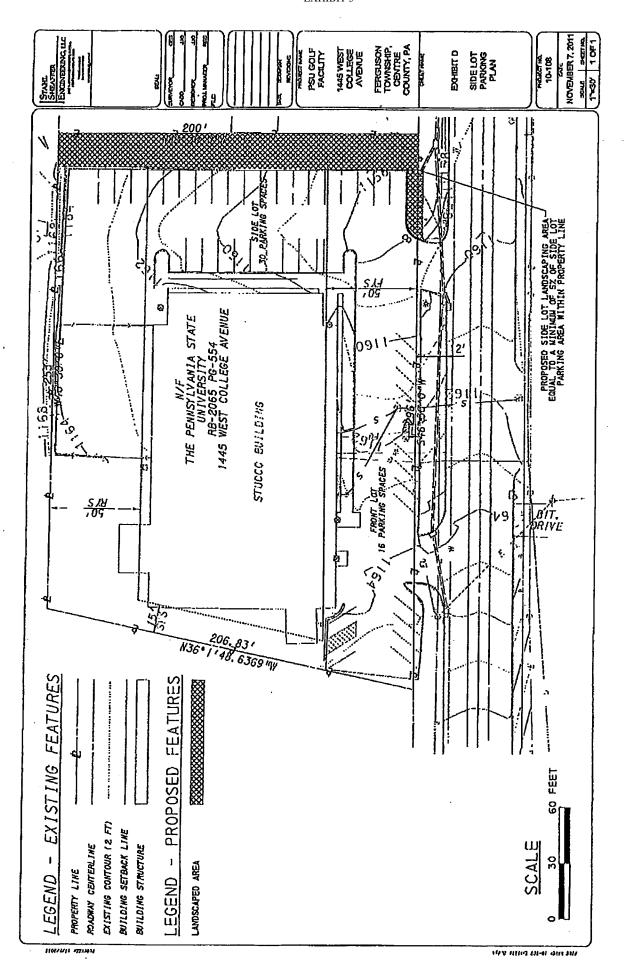
Beginning at an iron pin in the northerly line of West College Avenue (S.R. 026) a 60-foot right of way, South 46 degrees 30 minutes West 212.15 feet from the northwesterly corner of the intersection of West College Avenue and the Bellefonte Central Railroad; thence South 46 degrees 30 minutes West 296.00 feet along the north line of West College Avenue to an iron pin; thence North 31 degrees 42 minutes West 206.83 feet along lands now or formerly of The Pennsylvania State University to an iron pin; thence North 46 degrees 30 minutes Bast 253.00 feet along lands now or formerly of W.B. Dreibelbis, to an iron pin; thence South 43 degrees 30 minutes Bast 202.00 feet along lands now or formerly of Albert Dreibelbis to an iron pin, the place of beginning.

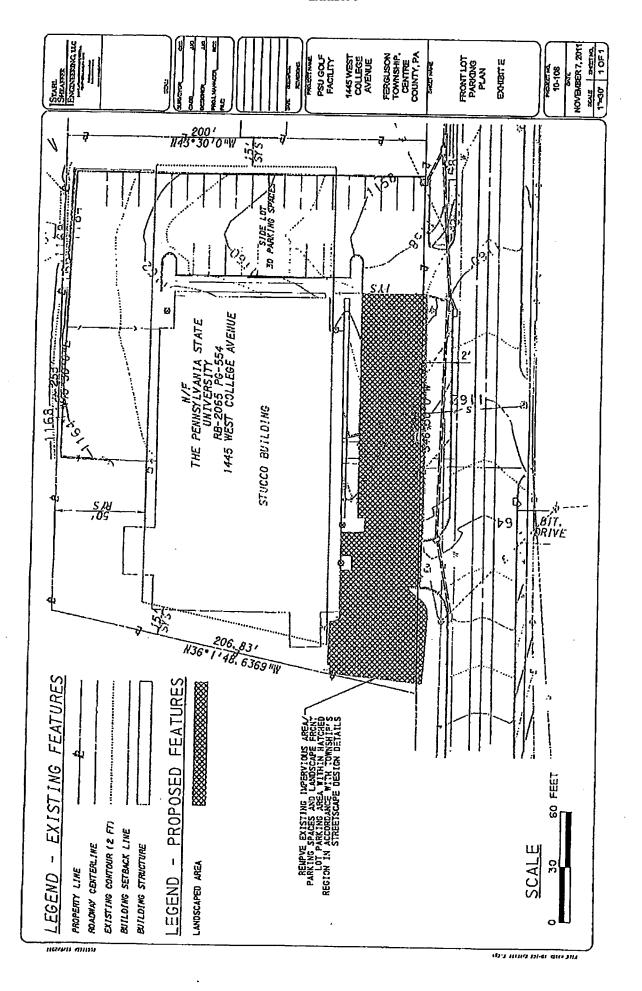
CONTAINING 55,530 square feet.

BRING known as Centre County Uniform Parcel Identifier Tax Parcel Number 24-4/51C









#### ADDENDUM TO AGREEMENT

THIS ADDENDUM TO AGREEMENT is made this \_\_\_\_\_\_\_ day of August, 2014, by and between The Pennsylvania State University, a non-profit corporation with offices at 208 Old Main, University Park, Pennsylvania (hereinafter referred to as "Penn State") and Ferguson Township, a home rule municipality, having offices at 3147 Research Drive, State College, Pennsylvania (hereinafter referred to as "Township") (collectively referred to as the "Parties").

#### **BACKGROUND**

1. Penn State owns a certain parcel of real property [24-004-051C] with a building constructed thereon (the "Building") located at 1445 West College Avenue, State College (Ferguson Township), Pennsylvania (the "Property").

୭୩୭ରିମ୍ବର । ଅଧିକ୍ରି ନୟ ନୌଷ ଅଧ୍ୟକ୍ତ । ଅଧିକ୍ର ଅଧିକ୍ର ଅଧିକ୍ର ଅଧିକ୍ର ଅଧିକ୍ର ।

- 2. On November 7, 2011, Penn State and the Township entered into an agreement to grant Penn State's application for Conditional Use for the Building and Property, subject to the terms and conditions set forth therein (the "Agreement"). A copy of the Agreement is attached hereto and made a part hereof as Exhibit "1".
- 3. The Agreement, in paragraph 1(a) provides that Penn State shall use 7,800 square feet of space located on the ground floor of the Building "for retail purposes and other permitted principal uses as permitted in the Terraced Streetscape Zoning District."
- 4. The 7,800 square feet of space located on the ground floor, is included in Schedule "A" List of In-Lieu Properties, pursuant to the Mutual Release and Settlement Agreement dated July 8, 2008, included in Exhibit "2".

- 5. Penn State has requested that the Township permit, as a conditional use, a mixed martial arts studio in the 7,800 square feet of space located on the ground floor of the Building which, in the Agreement, has been designated for retail purposes and other permitted principal uses.
- 6. A mixed martial arts studio is not specifically permitted within the Terraced Streetscape District; however, such a use is also not specifically excluded. As a result, pursuant to sections 27-703.2.e. (1) and (2) such a use may be permitted as a conditional use.
- 7. Penn State has filed an application with the Township for approval of a mixed martial arts studio as a conditional use and the Township has agreed to grant Penn State's application for conditional use subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and intending to be legally bound, the Parties agree as follows:

1. <u>Usability</u>. Penn State shall use the 7,800 square feet of space located on the ground floor of the Building as more specifically described in the Plan attached to the Agreement as Exhibit "B" for a mixed martial arts studio. The studio shall be used for training and instruction and shall not be used as a place of assembly.

#### 2. Parking.

a. Penn State shall post surety in a form acceptable to the Township within one year of the occupancy of the 7,800 square feet as a mixed martial arts studio and install landscaping on the east side of the Property in accordance with section 3(a) of the Agreement.

b. If a parking problem were to arise, as determined at the sole discretion of the Township, Penn State will either consolidate the Property with tax parcel 24-004-051 and develop additional parking on the consolidated lot or documentation of the reservation of parking spaces on tax parcel 24-004-051 must be provided in the form of a shared parking agreement.

## 3. Plans/Materials.

- a. All appropriate plans, including proposed materials to be used, for signage for the mixed martial arts studio will be submitted to the Township for its approval.
- b. All appropriate plans, including proposed materials to be used, for lighting for the mixed martial arts studio will be submitted to the Township for its approval.
- 4. Agreement of November 7, 2011. Except as modified by the terms and conditions set forth in this Addendum to Agreement, the terms and conditions as set forth in the Agreement shall remain binding upon the Parties and in effect.
- 5. Recordation. The Parties agree that this Agreement will be recorded with the Recorder of Deeds of Centre County.
- 6. Entire Agreement. This Addendum to Agreement, along with the Agreement, constitute the entire agreement between the Parties with respect to the matters referenced herein and otherwise assumes full compliance with the design standards of the Terraced Streetscape Zoning District.

# IN WITNESS WHEREOF, the Parties have set their hands and seals the day and

year first above written.

WITNESS:

THE PENNSYLVANIA STATE UNIVERSITY

Will M. Finds

Das Jagg

David J. Gray
Sr. Vice President for
Finance & Business
Treasurer
Penn State University

WITNESS:

FERGUSON TOWNSHIP

Richard Mascolo .

\_// .

COMMONWEALTH OF PENNSYLVANIA	} .	
	}	SS:
COUNTY OF CENTRE	}	

On this, the <u>Jist</u> day of August, 2014, before me, a Notary Public, the undersigned officer, personally appeared <u>David J. Gray</u>, who acknowledged himself/herself to be the <u>Sr. Vf. for Finance Business</u> of The Pennsylvania State University, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

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

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My Commission Expires:

Notary Public OMMONIA THE OF PENECULARIES

Notarial Seal

Donna J. Newburg, Notary Public

State College Boro, Centre County
My Commission Expires May 27, 2015

COMMONWEALTH OF PENNSYLVANIA	}	00
COUNTY OF CENTRE .	}	SS

On this, the 26th day of August, 2014, before me, a Notary Public, the undersigned officer, personally appeared Richard J. Mascolo, who acknowledged himself to be the Chairman of the Ferguson Township Board of Supervisors, a home rule municipality, and that in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the municipality by himself in such capacity.

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

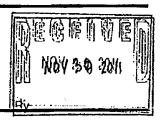
My Commission Expires:

Angela J. Kalke, Notary Public Ferguson Twp., Centre County
My Commission Expires Aug. 23, 2016



### TOWNSHIP OF FERGUSON

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



2) Fiproperty (Rad Estecte) -1445 West College Pare

1) DWG

November 28, 2011

Mr. Daniel Sleminski Associate Vice President of Business and Finance The Pennsylvania State University 201 Old Main University Park, PA 16802

۵.

Decision on Conditional Use Application for 1445 West College Avenue

Dear Mr. Sieminski:

On Monday, November 7, 2011 the Ferguson Township Board of Supervisors approved the application for a conditional use for property owned by The Pennsylvania State University located at 1445 West College Avenue to use a portion of the existing building for golf course maintenance equipment storage. In accordance with the Pennsylvania Municipalities Planning Code, Article IX – Zoning hearing Board and other Administrative Proceedings, Section 908. Hearings (9) the Board has rendered the decision in accordance with the following findings:



Township Ordinance 943 adopted February 7, 2011 states;

Conditional Uses. All of the following conditional uses shall be permitted only upon a lot, or combined lots, that total one (1) acre or larger upon approval by the Board of Supervisors:

(a) Any use not specifically permitted within the TS District that is deemed to be an acceptable use due to its consistency with the stated intent of the District, and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.

(b). Any use not specifically excluded in Section B.(6) that would be deemed to be an acceptable use within the TS District and is consistent with the stated intent of the District and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.

#### Decision:

The Ferguson Township Board of Supervisors finds that the conditional use of a portion the above property as more fully described in an Agreement recorded at the Centre County Recorder of Deeds meets the Intention of the Terraced Streetscape Zoning District within a reasonable timeframe given the incomplete streetscape design details and parking strategy intended for the district.

On behalf of the

Ferguson Township Board of Supervisors,

Mark A. Kunkle Township Manager

C:

Trisha Lang

Correspondence file

#### AGREEMENT

THIS AGREEMENT is made this '7th day of Novembee -, 2011, by and between The Pennsylvania State University, a non-profit corporation with offices at 208 Old Main, University Park, Pennsylvania (hereinafter referred to as "Penn State") and Ferguson Township, a home rule municipality, having offices at 3147 Research Drive, State College, Pennsylvania (hereinafter referred to as "Township").

#### RECITALS

- A. Penn State owns a certain parcel of real property [24-004-051C] with a building constructed thereon (the "Building") located at 1445 West College Avenue, State College (Ferguson Township), Pennsylvania, as more specifically described on Exhibit "A" attached hereto (the "Property").
- B. Penn State filed an application with the Township for approval of a conditional use pursuant to Section B (5) of the Terraced Streetscape District ("TS") provisions of the Township's Zoning Ordinance (Ordinance 944), to permit the use of a portion of the Building for storage, maintenance and repair of golf course related equipment with ancillary office and retail use (referred to herein as the "Conditional Use").
- C It is the Township's long range intention to achieve a streetscape design consistent with the design guidelines included in Ordinance 944.
- D. Following discussions and negotiations between representatives of Penn State and staff and elected officials of the Township, the Township has agreed to grant Penn State's application for Conditional Use subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and intending to be legally bound, the parties agree as follows:

#### 1. Use of Building.

- a) Retail Use. Penn State shall use the 7,800 square feet of space located on the ground floor of the Building as more specifically described in the Plan attached hereto as "Exhibit "B" (the "Building Plan") for retail purposes and other permitted principal uses as permitted in the Terraced Streetscape Zoning District.
- b) Conditional Use. Penn State may use a portion of the Building not exceeding 8,500 square feet as described on the Building Plan for the purpose of storing, maintaining and repairing golf carts, tractors, mowers and other golf-course related equipment and ancillary office use in support of the Penn State golf courses under the following terms:
  - i) Penn State's right to such Conditional Use will be for a minimum term of ten (10) years from the date of this Agreement.
  - remains occupied for a continuous period of five (5) years, during the initial ten

    (10) year period, the Conditional Use may continue at the conclusion of such ten

    (10) year period, for an additional five (5) year term subject to the approval of the

    Board of Supervisors.
  - iii) Notwithstanding the provisions of subparagraphs (i) and (ii) above, the Conditional Use shall cease if Penn State discontinues using a minimum of 80% of the said 8,500 square feet for the storage and maintenance of golf equipment for a period exceeding 90 days.
- 2. Sidewalk Construction. Penn State will construct a 12 feet wide sidewalk and install landscaping on the Property substantially in accordance with the Sidewalk Plan attached

SIDEWALK & LANDSCAPING LANDSCAPING TO BE INSTALLED

SPACIFIAS REMOVAL OF FIZONT PARKING hereto as Exhibit "C" no later than ninety (90) days following the Township's delivery of design T details setting forth the location of the sidewalk and landscaping; provided, however, that the ninety (90) day period will be extended as reasonably required to accommodate seasonal weather conditions. At the time this sidewalk is constructed, Penn State shall reduce access to the Property from West College Avenue to one access driveway.

- 3. Parking. There are presently a total of 46 on-site parking spaces located on the Property, 16 of which are located at the front of the Building (the "Front Lot") and 30 of which are located at the east side of the Building (the "Side Lot"). The parties agree as follows with respect to the said parking lots:
  - a) Penn State will install landscaping within the Side Lot equal to five (5%) percent of the total area of the Side Lot pursuant to the Side-Lot Parking Plan attached: hereto as Exhibit "D", such work to be completed upon occupancy of the building.
  - b) Upon receipt of the Parking Strategy, Penn State will remove the impervious area/parking spaces within the Front Lot and landscape the same in accordance with the Front Lot Parking Plan attached hereto as Exhibit "E". The uses described in Paragraphs 1(a) and (b) will thereafter continue to be permitted based on the 30 remaining on-site parking spaces located on the Side Lot, which are six (6) spaces less than the 1 space per 500 square foot presently required under the TS regulations.

#### 4. Construction of Addition.

a) Penn State agrees to complete construction of an approximately 7,000 square foot addition (the "Addition") to the portion of the Building adjoining West College Avenue, so that the front of the Building will be at the Property's front property line, no later than December 31, 2021. The design of the Addition will be consistent with



the design standards of the TS as specified in Part 5A of Chapter 22 of the Township

Code of Ordinances; provided, however, that if the said ordinance is hereinafter amended,

Penn State may at its option either comply with the modified requirements or the

requirements as set forth in the present Ordinance.

- b) Notwithstanding the provisions of Paragraph 4(a), if the Streetscape

  Design detail is not available from the Township by December 31, 2021, Penn State's obligation to construct the Addition will be suspended as reasonably required to assure that the Streetscape improvements associated with the existing parcel can be completed by the University with the appropriately engineered design.
- c) If the Township's Streetscape Design Detail for the TS does not provide for on-street parking, the construction of the Addition will be contingent upon the development of a Parking Strategy within the TS that will address any shortfall associated with the required parking for the retail use that occupies the Addition.
- Surety. Penn State agrees to post surety for completion of its obligations under Paragraphs 2, and 3 of this Agreement pursuant to the requirements of the Pennsylvania Municipalities Planning Code.
- 6. Binding Effect. This Agreement shall be a covenant running with the current land owner, and will be binding upon the parties, their successors, and assigns only as long as the herein permitted conditional use occupies the building. Unless the improvements required in Paragraphs 2, 3, and 4 of this Agreement have been completed, the use shall not be continued by the landowner, their successors or assigns.
- 7. Recordation. The parties agree that this Agreement will be recorded with the Recorder of Deeds of Centre County.

- 8. <u>Definitions.</u> The parties agree to the following definitions of the terms used herein:
  - a. Parking Strategy— to include the identification of the availability of on-street parking, the availability of shared parking opportunities with other sites in the corridor and/or the availability of parking in a structure parking facility
  - b. Streetscape Design Detail the engineered design of the area between the building facades within that portion of the West College Avenue corridor that falls within the TS District.
- 9. <u>Entire Agreement.</u> This Agreement constitutes the entire agreement between the parties with respect to the matters referenced herein and otherwise assumes full compliance with the design standards of the Terraced Streetscape Zoning District.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

WIINESS:	THE PENNSYLVANIA-STATE UNIVERSITY
Diane K. Keshvaij	By Sup Jamesers
	Joseph J. Doncsecz, Associate Vice President for Finance and Corporate Controller
ATTEST:	FFR GUISON TOWNSHID

Mark a typhel

By: George Pytel, Chairman

COMMONWEALTH OF PENNSYLVANIA	)	
COUNTY OF CENTRE	)	ss:

On this, the 10th day of 1000mber 2011, before me, a Notary Public, the undersigned officer, personally appeared Joseph J. Doncsecz, who acknowledged himself to be the Associate Vice President for Finance and Corporate Controller of The Pennsylvania State University, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

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

()

My Commission Expires: April 18, 2015

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Donna A. Jones, Notary Public

State College Boro, Centre County

My Commission Codices April 18, 2015

MEMBER, PENNSTLVANIA ASSOCIATION OF NOTABLES



2568 Park Center Boulevard State College, PA 16801 814.238.7117 www.hrg-inc.com



#### **VIA EMAIL**

September 2, 2021

Centrice Martin, Assistant Township Manager Ferguson Township Administration Office 3147 Research Drive State College, Pennsylvania 16801

Re: RPOS Plan Update Supplement #1

Dear Ms. Martin.

Herbert, Rowland & Grubic, Inc. (HRG) is pleased to submit the following SUPPLEMENT to the original AGREEMENT, executed on August 5, 2021, to provide supplemental engineering and planning services in response to your recent request.

#### GENERAL PROJECT DESCRIPTION

The project as undertaken in the original AGREEMENT with the Township includes engineering and planning services for development of a Comprehensive Recreation, Parks and Open Space Plan that will set the table for general growth, development, and redevelopment of open space, parks, trails, and recreation programs in the Township.

Additional services to be provided by this Supplement include development of a master plan update for two (2) Township parks to guide the enhancement and further development at Fairbrook Park and Greenbriar-Saybrook Park, as further described in Exhibit 1.

#### SCOPE OF SUPPLEMENTAL SERVICES-Refer to Exhibit 1

#### **COMPENSATION**

We propose to complete this supplemental work, identified in Exhibit 1, on a Time and Materials basis as follows:

Original Design Fee \$ 39,500 Supplement #1 \$ 15,000 Original Contract Total \$ 54,500

This work will be subject to the General Conditions of the original AGREEMENT and our current Fee and Billable Expense Schedules. Our policy is to render invoices monthly based on the time and expenses incurred. When the cumulative compensation reaches 75% of the estimated revised total compensation, HRG will notify the CLIENT of any adjustments to the estimated total.

Ferguson Township RPOS Plan Update – Supplement #1 September 2, 2021

#### **AUTHORIZATION**

We have developed this SUPPLEMENT specifically with your project needs in mind. To execute this SUPPLEMENT and indicate your acceptance of these terms, and authorize the work to begin, please sign the CLIENT acceptance below and return a copy to our office.

This SUPPLEMENT and all attachments constitute an offer to amend the current contract with you. By having an authorized individual execute this SUPPLEMENT, you agree that you have read and understand this proposed SUPPLEMENT and all of its attached Exhibits and that you agree to all of the terms.

This SUPPLEMENT shall remain open and may be accepted by the CLIENT for thirty (30) days from the above date. Acceptance of the SUPPLEMENT after the end of the 30-day period shall be valid only if HRG elects, in writing, to reaffirm the SUPPLEMENT and waive its right to reevaluate and resubmit the SUPPLEMENT.

If you have any questions concerning our SUPPLEMENT, including the attached Exhibits, please feel free to contact me to discuss them in greater detail. We appreciate the opportunity to provide you with professional services in this capacity and look forward to continuing to work with you on this project.

Sincerely,

**Proprietary Notice** 

HERBERT, ROWLAND & GRUBIC, INC.

Nichole L. Mendinsky, RLA, AICP, CPRP, LEED A Project Manager Practice Area Leader   Land Development	Р	
NLM/dlr 000769.0432 P:\0007\000769_0432\Admin\Control\Additional Services\Supplement#1-Professional Servic Attachment	es Contract.docx	
ACCEPTED BY:		
CLIENT	TITLE	DATE

This SUPPLEMENT contains proprietary information regarding Herbert, Rowland & Grubic, Inc. and is a work product containing business sensitive materials. This SUPPLEMENT was prepared in response to your request for your specific project and no portion of this SUPPLEMENT may be shared with any other party.

Ferguson Township RPOS Plan Update – Supplement #1 September 2, 2021

## EXHIBIT 1 SUPPLEMENTAL SCOPE OF SERVICES

In order to meet your needs as outlined in the above paragraph, HRG proposes the following supplemental scope of services:

The Consulting Firm will develop a master plan update for two (2) Township parks to guide the enhancement and further development at Fairbrook Park and Greenbriar-Saybrook Park. The scope of services for each park master plan update shall include an inventory and assessment, up to three design considerations made available to staff for Township digital publications and presented by Consulting Firm at least one (1) public meeting for citizen input, cost estimates for the improved park, and the development of final products will result in the final master plan with an illustrative map rendered combined with concise text, matrix or tables and illustrations to convey key information. The final products shall also include the conceptual alternative site plans combined with the final master plan as well as a color reduced version of the final master plan, seven (7) printed copies of the final, to-scale, color master plan provided to the Township, the A digital copy of the PowerPoint presentation documenting the master plan process and one electronic copy of the final master plan.

TO: Boards and Councils of Participating Entities for the Solar Power Purchase Agreement

FROM: Solar Power Purchase Agreement Working Group

DATE: August 11, 2021

RE: Energy Services Consultant Factsheet

#### **Key Points**

• The State College Area School District (SCASD) has been asked to be the lead organization in hiring the energy services consultant

- The energy services consultant will assist the Solar Power Purchase Agreement Working Group (SPPA WG) in our **exploration** of the viability of investing in a joint SPPA.
  - The group is considering aggregating a portion of each of their electricity usage from a largescale solar facility.
  - A SPPA is when buyers purchase electricity from a utility-scale, off-site renewable energy generator to use at their facilities.
- The total estimated cost is \$75,000 (distributed amongst the 15 entities partnering in the SPPA WG shown on page 2) will be utilized to retain the energy services consultant.
  - These costs are for an energy services consultant only and do not obligate the member entities in any financial way related to the purchasing of energy through a contract.
- Deadline: September 15, 2021 The SPPA WG representative will be asked to vote on the recommendation that SCASD hire GreenSky Development Group at its meeting.
- SCASD will negotiate with the consultant until September 30 to receive the best and final offer and to define a not to exceed amount.

### **Timeline for the Energy Services Consultant Contract Award:**

June 29, 2021: Open bids from Energy Services Consultant

August 11, 2021: SPPA WG reviews, recommends, and refers energy service consultant to

boards/councils

August 11 - Sept 14: Boards/Councils endorse the hiring of an energy services consultant

Sept 15, 2021: SPPA WG recommends SCASD hire an energy service consultant

Sept 15 – Oct 1: SCASD reviews, negotiates price and develops contract

Oct 11, 2021: SCASD enters a contract with energy services consultant. All documents signed by

SCASD.

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<u>Month</u>	<b>CCRRA</b>	Centre Co	SCASD	<b>SCBWA</b>	<u>CATA</u>	<u>CCHA</u>	<u>CHPSA</u>	COG	<u>SCB</u>	<u>Ferguson</u>	<u>Patton</u>	<u>College</u>	<u>CTWA</u>	<u>Halfmoon</u>	<u>Harris</u>	<u>Total</u>
January	70,784	215,933	1,474,887	409,045	2,862,760	1,017,299	495,130	113,920	3,111,534	58,413	45,331	35,478	69,094	7,805	13,509	10,000,922
February	61,520	192,859	1,244,806	441,272	-	-	-	115,955		47,144	39,150	25,048	61,428	10,860	11,177	2,251,219
March	60,240	185,740	1,115,968	383,280	-	-	-	106,651		47,467	36,074	30,187	53,075	10,231	8,916	2,037,829
April	46,864	166,935	1,038,836	387,090	-	-	-	108,033		43,728	35,507	32,548	53,240	6,598	8,142	1,927,521
May	43,296	155,847	1,045,919	386,012	-	-	-	100,395		39,288	27,194	31,049	50,134	6,215	4,789	1,890,138
June	39,704	173,075	978,098	362,209	-	-	-	118,101		43,789	25,926	30,471	52,413	4,507	3,234	1,831,527
July	43,360	147,845	811,785	346,405	-	-	-	161,032		45,473	25,899	32,240	50,962	3,977	3,331	1,672,309
August	43,432	171,105	828,907	339,381	-	-	-	167,354		47,060	26,667	31,513	48,550	4,045	4,470	1,712,484
September	44,024	169,377	1,293,683	297,486	-	-	-	160,564		47,216	29,246	33,267	51,241	3,581	3,757	2,133,442
October	39,776	150,086	1,196,764	361,938	-	-	-	154,772		43,878	26,383	32,989	54,757	3,984	4,567	2,069,894
November	54,232	168,401	1,315,030	363,590	-	-	-	116,609		44,926	31,563	31,604	93,995	2,926	7,197	2,230,073
December	62,976	197,614	1,402,372	381,958	-	-	-	99,928		49,676	41,203	36,232	64,860	4,141	12,141	2,353,101
Total	610,208	2,094,817	13,747,055	4,459,666	2,862,760	1,017,299	495,130	1,523,314	3,111,534	558,058	390,143	382,626	703,749	68,870	85,230	32,110,459
	======	======	======	=======	======	======	======	=======	======	======	======	======	======	======		======
% Usage	1.90%	6.52%	42.81%	13.89%	8.92%	3.17%	1.54%	4.74%	9.69%	1.74%	1.22%	1.19%	2.19%	0.21%	0.27%	100.00%
Š	=======	=======	======	=======	======	======	======	======	======	======	======	=======	======	=======	======	======
Estimated Cost **	\$ 1,235	\$ 4,238	\$ 27,827	\$ 9,029	\$ 5,798	\$ 2,061	\$ 1,001	\$ 3,081	\$ 6,299	\$ 1,131	\$ 793	\$ 774	\$ 1,424	\$ 137	\$ 176	\$ 65,000
	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======

<sup>\*\* -</sup> Estimated Cost is the proportionate share of \$65,000 in legal and consulting services. \$65,000 falls at the higher end of the estimated cost of said services.

Revised Estimated Cost @@	\$ 1,425	\$ 4,890 \$	32,108	\$ 10,418 \$	\$ 6,690 \$	2,378	\$ 1,155	\$ 3,555	\$ 7,268	\$ 1,305	\$ 915	\$ 893	\$ 1,643	\$ 158	\$ 203 \$	\$ 75,000	
	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	=======	

<sup>@@ -</sup> Updated based upon receipt of RFPs prior to further negotiation and assessment.



#### Interoffice Memorandum

TO: Ferguson Township Board of Supervisors

FROM: Jenna Wargo, AICP

Director of Planning & Zoning

DATE: July 14, 2021

SUBJECT: Overview of the Official Map

In October 2017, the Board of Supervisors adopted the Township's Official Map designed to implement the goals and community vision set forth in the Centre Region Comprehensive Plan. The Board of Supervisors directed Township staff to research the implications of amending the Official Township Map. Provided below is an overview and summary:

#### What is an Official Map?

An official map is a map and ordinance designed to aid in proactively planning for future growth in a municipality by helping to implement the elements of an adopted comprehensive plan. This map is a declaration by the governing body to reserve private land for future public acquisition and use. It identifies specific parcels or portions of private property within a municipality where open spaces are desired or where public improvements (l.e. road widening) are envisioned. It demonstrates that it is the intent of the governing body to acquire land for these municipal purposes. The map is the primary component of an official map ordinance.

#### Is an Official Map a municipal base map?

No. An official map is a type of land use ordinance. It must not be confused with a municipal base map, existing or future land use map, a zoning map, or any map in a comprehensive plan.

#### What is considered a public purpose?

Public streets watercourses, public parks, open space, pedestrian ways and easements, railroad and transit rights-of-way and easements, flood control basins, floodways and flood plans, stormwater management areas, drainage easements, support facilities, easements and other property held by public bodies undertaking the elements of a comprehensive plan.

#### What are the benefits of an Official Map?

They help focus limited financial resources on projects that meet and advance community goals as well as provides municipalities a competitive advantage in securing grants. An official map saves time and money by informing property owners and developers of municipal goals and intentions in advance of development plans. They act as an effective negotiation tool for municipalities, helping to ensure that development is compatible with and supportive of public goals.

#### What is the process once an official map is adopted?

Once a property owner or developer notifies a municipality of their intention to build, subdivide, or perform other work on land that is located on an official map, the municipality has up to a year to confirm its acquisition interest and negotiate to acquire the land. Acquisition can take the form of dedication by owner, purchase of land or easement by the municipality, negotiations with owner/developer to make desired improvements, or eminent domain (although rare), if the municipality chooses.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

# Part 1 TURF GRASS, WEEDS AND OTHER VEGETATION

§ 10-101 Turf Grass, Weeds and Certain Other Vegetation Not Permitted Under Certain Conditions. [Ord. 99, 4/13/1976, § 1; as amended by Ord. 575, 1/17/1993, § 1; and by Ord. 1014, 4/18/2016]

- 1. No person, partnership, association, corporation or other legal entity owning or occupying any property within the Township of Ferguson shall permit any turf grass, weeds or other vegetation which is not edible or planted for some useful or ornamental purpose to grow or remain upon such premises, if:
- A. Such managed turf grass, weeds or vegetation exceeds a height of eight (8) inches.
- B. Emits any unpleasant or noxious odor.
- C. Conceals any filthy deposit.

## § 10-102 Turf Grass, Weeds and Certain Other Vegetation a Nuisance Under Certain Conditions. [Ord. 99, 4/13/1976, § 2; as amended by Ord. 1014, 4/18/2016]

Any turf grass, weeds or other vegetation growing upon any premises in the Township in violation of the provisions of § **10-101** of this Part is hereby declared to be detrimental to the health, safety and welfare of the inhabitants of the Township and is accordingly declared to be a nuisance.

# § 10-103 Green Infrastructure. [Added by Ord. 1014, 4/18/2016]

- 1. Intent. Green infrastructure in public and private spaces enhances the environment and ecology of Ferguson Township, as well as adds to the aesthetic qualify of life. This Section intends to permit the establishment of green infrastructure on privately owned properties in the Township, while still protecting adjacent properties from the nuisances and hazards that may accompany them. Furthermore, it is the intent of this Section is to establish a minimal regulatory framework to provide for the private installation and maintenance of green infrastructure on privately owned property in the Township.
- A. It is not the intent of this section to allow vegetated areas to be unmanaged or overgrown in ways that may adversely affect human health or safety, or pose a threat to agricultural activity. It is the express intent of this Township to allow for the preservation, restoration, and management of native plant communities; including, but not limited to, ferns, grasses, forbs, aquatic plants, trees, and shrubs in a landscape when these plants were obtained not in violation of local, state, or federal laws.
- 2. Any landowner wishing to maintain green infrastructure on their property may register his/her property with the Township must register the property with the Township and specify the type of green infrastructure installation as described below. The Township shall establish a registration application, which shall be reviewed by the Township Arborist or designee. The registration with the Township shall include, at minimum:
- A. The names, addresses, and phone numbers of the landowner and landscape designer (if someone other

than the landowner);

- B. The parcel number and address of the proposed property;
- C. A brief description of the maintenance plan including an intended maintenance plan. The maintenance plan will be tailored to the type of green infrastructure proposed to be installed and shall be subject to review and approval by the Township Arborist. The maintenance plan shall reflect a perimeter of two (2) feet around any green infrastructure installation that will be mowed and maintained to a height no greater than permitted in § 10-101.
- 3. Permit Required. The Arborist shall issue a permit to the applicant within thirty (30) days of receipt of the registration, or describe in writing the reason a permit request is being denied. The applicant may appeal the decision of the Township Arborist to the Township Manager within thirty (30) days of receipt of a denial of a permit by notifying the Manager in writing and describing the reason for appeal. The Township Manager shall decide within seven (7) days of receipt of an appeal whether to issue or deny a permit request. The decision of the Township Manager shall be binding on the applicant.

#### § 10-104 **Definitions.**

[Added by Ord. 1014, 4/18/2016]

As used in this Part, the following terms shall have the meanings indicated:

#### **DCNR**

The Pennsylvania Department of Conservation and Natural Resources.

#### **DESTRUCTION or DESTROY**

The complete killing of plants, or effectually preventing such plants from maturing to the bloom or flower stage.

#### **FORB**

A herbaceous flowering plant that does not include grasses, sedges and rushes. Such plants include herbs and may be annual, biennial, or perennial.

#### **INVASIVE SPECIES**

Those species that grow aggressively, and spread and displace native vegetation. Invasive plants are generally undesirable because they are difficult and costly to control and can dominate whole habitats, making them environmentally destructive in certain situations. The list that shall be used by this Part is the PA Department of Conservation and Natural Resources Invasive Plants list.

#### **LANDOWNER**

One who owns or controls land within the Township, including the Township itself.

#### MAINTENANCE PLAN

A description of the maintenance of green infrastructure installed in accordance with this Ordinance.

#### **GREEN INFRASTRUCTURE**

A planned, intentional and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs or trees, including but not limited to rain gardens, meadow vegetation, and ornamental

plantings. All Green Infrastructure defined in this Ordinance shall conform to at least one of the following categories:

- A. Planted meadow. Designated area purposefully planted with native grass, forbe, and wildflower seed to provide food sources and habitat for wildlife and pollinators. Low-mow and planted meadows are examples.
- B. Meadow. Designated area where existing site vegetation is evaluated to control invasive species with a continued maintenance plan to prevent the spread of invasive species from area to area. Low-mow and no-mow meadows are examples.
- C.Pollinator gardens and plots. Designated area that is planted with specific plant types beneficial to pollinators in a designated garden. Pollinator plots and gardens may also be for demonstration and educational purposes. These types of green infrastructure typically require ongoing maintenance including routing weeding, mulching, trimming, and other plant care.

#### **NATIVE PLANT**

Species of plants occurring within the Commonwealth of Pennsylvania prior to European contact, according to best scientific and historical documentation. More specifically, it includes those species understood as indigenous, occurring in natural associations in habitats that existed prior to significant human impacts and alterations of the landscape. Lists of Pennsylvania native plants are available from the PA Department of Conservation and Natural Resources (DCNR) and Penn State Cooperative Extension, Master Gardeners of Centre County.

#### **NOXIOUS WEED**

A generally invasive plant that once declared noxious becomes illegal to sell, transport, plant or otherwise propagate within the commonwealth. The list of Pennsylvania Noxious Weeds is periodically updated and is available from the U.S. Department of Agriculture, Natural Resources Conservation Service.

#### PRESERVATION OR RESTORATION AREA

Any lands managed to preserve or restore native Pennsylvania grasses and forbs, native trees, shrubs, wildflowers, and aquatic plants; succession of native and non-native plants; or a combination of these.

#### **TURF GRASS**

Grass commonly used in regularly cut lawns or play areas.

# § 10-105 Landowners' rights and responsibilities. [Added by Ord. 1014, 4/18/2016]

- 1. Compliance with the provisions of this Ordinance shall be the responsibility of the landowner.
- 2. Noxious weeds shall be destroyed by the landowners on whose land they grow.

### § 10-106 Turf Grass, Weeds and Certain Other Vegetation to Be Removed, Trimmed or Cut. [Ord. 99, 4/13/1976, § 3; as amended by Ord. 1014, 4/18/2016]

The owner of any premises, either as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all turf grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions

of § 10-101 of this Part.

# § 10-107 Provisions Inapplicable to Certain Land. [Ord. 99, 4/13/1976, § 4; as amended by Ord. 575, 1/17/1993, § 2; by Ord. 734, 8/16/1999, § 1; and by Ord. 1014, 4/18/2016]

- 1. Notwithstanding any of the other terms of this Part to the contrary, the provisions of this Part shall not apply to:
- A. Land which is in agricultural use or any property located within the Rural Agricultural (RA), Rural Residential (RR), and Agricultural Research (AR) Zoning Districts.
- B. Vegetation growing within the right-of-way of roadway maintained by local, state or federal authorities. Unless described as not applying above, the terms of this Part apply to vacant lots in residential, commercial and industrial subdivisions.

# § 10-108 Notice to Remove, Trim or Cut; Authority for Township to Do So at Expense of Defaulting Owner or Occupant. [Ord. 99, 4/13/1976, § 5; as amended by Ord. 575, 1/17/1993, § 3; and by Ord. 1014, 4/18/2016]

The Township Manager, or any officer or employee of the Township designated thereby for the purpose, is authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon turf grass, weeds or other vegetation is growing or remaining in violation of the provisions of § 10-101, directing and requiring such occupant to remove, trim or cut such turf grass, weeds or vegetation, so as to conform to the requirements of § 10-101 within five days after issuance of such notice. In case any person, partnership, association, corporation or other legal entity shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Township authorities may remove, trim or cut such turf grass, weeds or vegetation, and the cost thereof, together with any additional penalty authorized by the law, may be collected by the Township as a municipal lien or in any other manner provided by law.

# § 10-109 Notice of Ordinance Violation; Payment. [Ord. 99, 4/13/1976; as added by Ord. 575, 1/17/1993, § 4; as amended by Ord. 1014, 4/18/2016]

- 1. Upon the discovery of the initial violation on a premises during a growing season (April through October), the authorized agent of the Township shall give a written notice of warning to the owner and/or occupant of such violation. The owner and/or occupant shall then have five days to abate such violation.
- 2. After a period of no less than five days after the issuance of the warning notice, the Township's authorized agent may inspect the premises for compliance with this Part. If after the five days' warning time and within the same growing season, the Township's authorized agent observes the premises to again be in violation, an ordinance violation notice shall be issued to the owner and/or occupant either by personal delivery, by United States mail directed to the last known address, or by posting the violation notice upon the premises where such violation occurs. Each twenty-four-hour period shall constitute a separate violation and an ordinance violation notice may be issued every 24 hours. If such owner and/or occupant notified shall, within seven days after the delivery, mailing or leaving of such violation notice, pay to the Treasurer of the Township a penalty for the violation as set forth by resolution of the Board of Supervisors, the same will constitute full satisfaction for violation noted in said notice. The failure of such person to make payment, as aforesaid, within seven days shall render

such owner and/or occupant subject to the penalties as provided for in § 10-110 of this Part.

3. Notice of any observed violations of § **10-103** shall be provided in writing, and the property owner shall have thirty (30) days from receipt to correct any violations. Failure to do so will result in a revocation of the green infrastructure permit issued under § **10-103**.

## § 10-110 Penalty for Violation. [Ord. 99, 4/13/1976, § 6; as amended by Ord. 820, 12/8/2003; and by Ord. 1014, 4/18/2016]

Any person, partnership, association, corporation or other legal entity who or which shall violate or fail, neglect or refuse to comply with any of the provisions of this Part, upon conviction thereof, in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days; provided, each day's violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute an offense.

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### Part 1 TURF GRASS, WEEDS AND OTHER VEGETATION

§ 10-101 Turf Grass, Weeds and Certain Other Vegetation Not Permitted Under Certain Conditions. [Ord. 99, 4/13/1976, § 1; as amended by Ord. 575, 1/17/1993, § 1; and by Ord. 1014, 4/18/2016]

- 1. No person, partnership, association, corporation or other legal entity owning or occupying any property within the Township of Ferguson shall permit any turf grass, weeds or other vegetation which is not edible or planted for some useful or ornamental purpose to grow or remain upon such premises, if:
- A. Such managed turf grass, weeds or vegetation exceeds a height of six-eight (8) (6) inches.
- B. Emits any unpleasant or noxious odor.
- C. Conceals any filthy deposit.

### § 10-102 Turf Grass, Weeds and Certain Other Vegetation a Nuisance Under Certain Conditions. [Ord. 99, 4/13/1976, § 2; as amended by Ord. 1014, 4/18/2016]

Any turf grass, weeds or other vegetation growing upon any premises in the Township in violation of the provisions of § **10-101** of this Part is hereby declared to be detrimental to the health, safety and welfare of the inhabitants of the Township and is accordingly declared to be a nuisance.

### § 10-103 Green Infrastructure. [Added by Ord. 1014, 4/18/2016]

- 1. Intent. Green infrastructure in public and private spaces enhances the environment and ecology of Ferguson Township, as well as adds to the aesthetic qualify of life. This Section intends to permit the establishment of green infrastructure on privately owned properties in the Township, while still protecting adjacent properties from the nuisances and hazards that may accompany them. Furthermore, it is the intent of this Section is to establish a minimal regulatory framework to provide for the private installation and maintenance of green infrastructure on privately owned property in the Township.
- A. It is not the intent of this section to allow vegetated areas to be unmanaged or overgrown in ways that may adversely affect human health or safety, or pose a threat to agricultural activity. It is the express intent of this Township to allow for the preservation, restoration, and management of native plant communities; including, but not limited to, ferns, grasses, forbs, aquatic plants, trees, and shrubs in a landscape when these plants were obtained not in violation of local, state, or federal laws.
- 2. Any landowner wishing to maintain green infrastructure on their property may register his/her property with the Township must register the property with the Township and specify the type of green infrastructure installation as described below. The Township shall establish a registration application, which shall be reviewed by the Township Arborist or designee. The registration with the Township shall include, at minimum:
- A. The names, addresses, and phone numbers of the landowner and landscape designer (if someone other

than the landowner);

- B. The parcel number and address of the proposed property;
- C. A brief description of the maintenance plan including an intended maintenance plan. The maintenance plan will be tailored to the type of green infrastructure proposed to be installed and shall be subject to review and approval by the Township Arborist. The maintenance plan shall reflect a perimeter of two (2) feet around any green infrastructure installation that will be moved and maintained to a height no greater than permitted in § 10-101.
- 3. Permit Required. The Arborist shall issue a permit to the applicant within thirty (30) days of receipt of the registration, or describe in writing the reason a permit request is being denied. The applicant may appeal the decision of the Township Arborist to the Township Manager within thirty (30) days of receipt of a denial of a permit by notifying the Manager in writing and describing the reason for appeal. The Township Manager shall decide within seven (7) days of receipt of an appeal whether to issue or deny a permit request. The decision of the Township Manager shall be binding on the applicant.
- 4. Audit. Each property registered in accordance with this Section shall be periodically visually inspected by the Township Arborist for compliance with the requirements described herein. Any observed violations shall be provided in writing, and the property owner shall have thirty (30) days from receipt to correct any violations. Failure to do so will result in a revocation of the green infrastructure permitissued under this Section.

#### § 10-104 **Definitions.** [Added by Ord. 1014, 4/18/2016]

As used in this Part, the following terms shall have the meanings indicated:

#### **DCNR**

The Pennsylvania Department of Conservation and Natural Resources.

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#### INVASIVE SPECIES

Those species that grow aggressively, and spread and displace native vegetation. Invasive plants are generally undesirable because they are difficult and costly to control and can dominate whole habitats, making them environmentally destructive in certain situations. The list that shall be used by this Part is the PA Department of Conservation and Natural Resources Invasive Plants list.

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#### MAINTENANCE PLAN

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- A. Planted meadow. Designated area purposefully planted with native grass, forbe, and wildflower seed to provide food sources and habitat for wildlife and pollinators. Low-mow and planted meadows are examples.
- B. Meadow. Designated area where existing site vegetation is evaluated to identify and removecontrol invasive species with a continued maintenance plan to prevent the spread of invasive species from area to area. Low-mow and no-mow meadows are examples.
- C. Grow Zone. Refers to all types of meadows, with native seed mix plantings or natural vegetation growth.
- Pollinator gardens and plots. Designated area that is planted with specific plant types beneficial to pollinators in a designated garden. Pollinator plots and gardens may also be for demonstration and educational purposes. These types of green infrastructure typically require ongoing maintenance including routing weeding, mulching, trimming, and other plant care.

#### NATIVE PLANT

Species of plants occurring within the Commonwealth of Pennsylvania prior to European contact, according to best scientific and historical documentation. More specifically, it includes those species understood as indigenous, occurring in natural associations in habitats that existed prior to significant human impacts and alterations of the landscape. Lists of Pennsylvania native plants are available from the PA Department of Conservation and Natural Resources (DCNR) and Penn State Cooperative Extension, Master Gardeners of Centre County.

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A generally invasive plant that once declared noxious becomes illegal to sell, transport, plant or otherwise propagate within the commonwealth. The list of Pennsylvania Noxious Weeds is periodically updated and is available from the U.S. Department of Agriculture, Natural Resources Conservation Service.

#### PRESERVATION OR RESTORATION AREA

Any lands managed to preserve or restore native Pennsylvania grasses and forbs, native trees, shrubs, wildflowers, and aquatic plants; succession of native and non-native plants; or a combination of these.

#### TURF GRASS

Grass commonly used in regularly cut lawns or play areas.

 $\S~10\mbox{-}105$  Landowners' rights and responsibilities. [Added by Ord. 1014, 4/18/2016]

1. Compliance with the provisions of this Ordinance shall be the responsibility of the landowner.

2. Noxious weeds shall be destroyed by the landowners on whose land they grow.

### § 10-106 Turf Grass, Weeds and Certain Other Vegetation to Be Removed, Trimmed or Cut. [Ord. 99, 4/13/1976, § 3; as amended by Ord. 1014, 4/18/2016]

The owner of any premises, either as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut all turf grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of § 10-101 of this Part.

# § 10-107 Provisions Inapplicable to Certain Land. [Ord. 99, 4/13/1976, § 4; as amended by Ord. 575, 1/17/1993, § 2; by Ord. 734, 8/16/1999, § 1; and by Ord. 1014, 4/18/2016]

- Notwithstanding any of the other terms of this Part to the contrary, the provisions of this Part shall not apply to:
- A. Land which is in agricultural use or any property located within the Rural Agricultural (RA), Rural Residential (RR), and Agricultural Research (AR) Zoning Districts.
- B. Vegetation growing within the right-of-way of roadway maintained by local, state or federal authorities. Unless described as not applying above, the terms of this Part apply to vacant lots in residential, commercial and industrial subdivisions.

# § 10-108 Notice to Remove, Trim or Cut; Authority for Township to Do So at Expense of Defaulting Owner or Occupant. [Ord. 99, 4/13/1976, § 5; as amended by Ord. 575, 1/17/1993, § 3; and by Ord. 1014, 4/18/2016]

The Township Manager, or any officer or employee of the Township designated thereby for the purpose, is authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon turf grass, weeds or other vegetation is growing or remaining in violation of the provisions of § 10-101, directing and requiring such occupant to remove, trim or cut such turf grass, weeds or vegetation, so as to conform to the requirements of § 10-101 within five days after issuance of such notice. In case any person, partnership, association, corporation or other legal entity shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Township authorities may remove, trim or cut such turf grass, weeds or vegetation, and the cost thereof, together with any additional penalty authorized by the law, may be collected by the Township as a municipal lien or in any other manner provided by law.

### § 10-109 Notice of Ordinance Violation; Payment. [Ord. 99, 4/13/1976; as added by Ord. 575, 1/17/1993, § 4; as amended by Ord. 1014, 4/18/2016]

- Upon the discovery of the initial violation on a premises during a growing season (April through October), the authorized agent of the Township shall give a written notice of warning to the owner and/or occupant of such violation. The owner and/or occupant shall then have five days to abate such violation.
- 2. After a period of no less than five days after the issuance of the warning notice, the Township's authorized agent may inspect the premises for compliance with this Part. If after the five days' warning time and within the same growing season, the Township's authorized agent observes the premises to again be in violation, an ordinance violation notice shall be issued to the owner and/or occupant either

### Accounts Payable

### Checks by Date - Detail by Check Number

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Check Amoun	<b>Void Checks</b>	Check Date Reference	Vendor Name Description	Vendor No Invoice No	heck No
	749.85	07/31/2021 VOID	NITRO SOFTWARE, INC. NITRO PRODUCTIVITY SUITE	11751 923115	АСН
0.00	749.85	ACH Check for Vendor 11751:	Total for this		
856.85		07/31/2021	CLEARWATER CONSERVANCY MS4 OUTREACH & EDUCATION ASSISTAN	10232 072121	15
856.85	0.00	Total for Check Number 15:			
4,033.41		07/31/2021	GROVE PRINTING LETTER/SAMPLE BILLS/ENV/MAILING SEI	11450 32289	16
4,033.41	0.00	Total for Check Number 16:			
27,216.00		07/10/2021	STATE COLLEGE BOROUGH WATER A TO RECORD QUARTERLY HYDRANT FEES	11035 C-2500-000F-0	32
27,216.00	0.00	Total for Check Number 32:			
55.60		07/08/2021	STATE COLLEGE BOROUGH WATER A BABE RUTH FIELD WATER	11035 A-1869-000-0	70
55.60	0.00	Total for Check Number 70:			
159.97		07/31/2021 01.433.036	WEST PENN POWER HAVASHIRE BLVD	11192 3639-JUL21	151
159.97	0.00	Total for Check Number 151:			
49.80		07/08/2021	STATE COLLEGE BOROUGH WATER A DOG PARK WATER	11035 C-1590-159-0	215
49.80	0.00	Total for Check Number 215:			
	14,755.35	07/15/2021 VOID	ALPHA SPACE CONTROL COMPANY I 2021 TRAFFIC MARKINGS	10034 55687	407
0.00	14,755.35	Total for Check Number 407:			
88,466.94 14,755.35		07/31/2021	ALPHA SPACE CONTROL COMPANY I PAVEMENT MARKINGS 2021 TRAFFIC MARKINGS	10034 55568 55687	408
103,222.29	0.00	Total for Check Number 408:			
405,514.86		07/31/2021	ASPHALT PAVING SYSTEMS INC MICROSURFACING	10064 212005-1	409
405,514.86	0.00	Total for Check Number 409:			
		07/31/2021	CENTRE CONCRETE COMPANY	10185	410

Check Amount	<b>Void Checks</b>	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
281.00			CONCRETE	200532	
281.00	0.00	Total for Check Number 410:			
1,348.36		07/31/2021	GLENN O HAWBAKER INC 9.5MM-L 64-S-22 3-30	10436 776543	411
1,348.36	0.00	Total for Check Number 411:			
258.62		07/31/2021	HANSON AGGREGATES PA INC 2ASUBBASE	10475 3929162	412
258.62	0.00	Total for Check Number 412:			
	1,289.77 1,008.58 629.74 629.74 1,004.87 520.88 197.10 254.74 130.16 341.13	07/31/2021 VOID	HRI INC  40356W 9.5MM M .3<3 15% RAP WMA  40356W 9.5MM M .3<3 15% RAP WMA	10509 2272274 2274630 2279335 2279335 2283645 2315102 2317977 2322972 2323134 2326599	413
0.00	6,006.71	Total for Check Number 413:			
143.23		07/31/2021	SITE ONE LANDSCAPE SUPPLY LESCO HERBICIDE	11476 111394561-001	414
	-		ELSCO HERBICIDE	111374301 001	
143.23	0.00	Total for Check Number 414:	AMAZON GADITAL GEDUJGEG DIG	11040	000
	308.99 649.00	07/31/2021 VOID	AMAZON CAPITAL SERVICES INC PRINT HEAD LASER PRINTER	11242 13JD-L43H-CLX6 1DP3-9VL7-CJYV	888
0.00	957.99	Total for Check Number 888:			
150.00		07/31/2021	CENTRE REGION CODE ADMINISTRATE PW BUILDING PERMIT	10207 072021	889
150.00	0.00	Total for Check Number 889:			
233.00		07/31/2021	STATE COLLEGE BATTERY OUTLET BATTERY BACKUPS	11033 100573	890
233.00	0.00	Total for Check Number 890:			
18.19 194.80		07/08/2021	STATE COLLEGE BOROUGH WATER A BRISTOL AVE WATER BUILDING 3 WATER	11035 A-1530-095-11 A-1541-002-0	11419
	0.00	Stall for Charle North or 11410.			
212.99	0.00	Ordal for Check Number 11419: 07/15/2021	AFLAC	10016	11420
118.17		07/13/2021	INSURANCE WITHHELD	172988	11420
118.17	0.00	otal for Check Number 11420:			
	602.24	07/15/2021 VOID	BASTIAN TIRE & AUTO CENTERS TIRES	10085 148848	11421

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	148911 148949	TIRES TIRES		817.62 606.32	
			Total for Check Number 11421:	2,026.18	0.00
11422	10122 061121 061521 061821 0629 062921	BOROUGH OF STATE COLLEGE DUI CHECKPOINT 6/11 DUI CHECKPOINT 6/15 DUI CHECKPOINT 6/18 DUI CHECKPOINT 6/29 DUI CHECKPOINT 6/29	07/15/2021		191.87 387.14 255.15 65.09 171.12
			Total for Check Number 11422:	0.00	1,070.37
11423	11224 71682	CAMPBELL DURRANT BEATTY PAL BARGAINING DISCUSSIONS	Of 07/15/2021		2,440.41
			Total for Check Number 11423:	0.00	2,440.41
11424	10231 512446 512968 512985	CLEARFIELD WHOLESALE PAPER C TOWELS FILTERS TISSUES/TOWELS	CO: 07/15/2021		106.30 64.76 318.45
			Total for Check Number 11424:	0.00	489.51
11425	10142 21FERGUSON-Q2 CNET0621	CNET 2ND QTR DUES 2021 PEG FEES	07/15/2021		6,998.75 1,081.37
			Total for Check Number 11425:	0.00	8,080.12
11426	10243 20006	COLUMBIA GAS OF PA INC GAS	07/15/2021		27.65
			Total for Check Number 11426:	0.00	27.65
11427	10244 125961688	COMCAST TOTAL ETHERNET DEDICATED	07/15/2021		2,268.00
			Total for Check Number 11427:	0.00	2,268.00
11428	11760 070321	COMCAST FAX LINES	07/15/2021		141.22
			Total for Check Number 11428:	0.00	141.22
11429	10284 410962	CUSTOM ALTERATIONS POCKET REPAIRS/COAT-REPLACE ZIPPE	07/15/2021 GR		38.40
			Total for Check Number 11429:	0.00	38.40
11430	10308 10496793705	DELL MARKETING L P PROSUPPORT/CUSTOM SERV	07/15/2021		696.50
			Total for Check Number 11430:	0.00	696.50
11431	11635 29702557	GREAT AMERICA FINANCIAL SERVI COPIER LEASE 5052CI	Cl 07/15/2021		217.64
			Total for Check Number 11431:	0.00	217.64
11432	10491	HINTON & ASSOCIATES	07/15/2021		

Check Amount	Void Checks	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
505.00			LAPTOP DOCKING STATION/LED LCD MG	3687	
505.00	0.00	Total for Check Number 11432:			
	231.08	07/15/2021 VOID	HOME DEPOT CREDIT SERVICES TRUE TEMPER STEEL WITH FLAT FREE	11593 8280790	11433
0.00	231.08	Total for Check Number 11433:			
0.00	231.06	07/15/2021	INFRADAPT LLC	11253	11434
655.73	_	07/13/2021	CARRIER LOCAL & LONG DIST	7907JUL2021	11434
655.73	0.00	Total for Check Number 11434:			
500.00		07/15/2021	ERIKA ISLER ROUTE 45 GETAWAYS	11953 070821	11435
500.00	0.00	Total for Check Number 11435:			
2,167.90		07/15/2021 RC	LAWN & GOLF SUPPLY CO., INC. MOWER W/BAGGER/BATTERY/DUAL PO	11954 54273	11436
2,167.90	0.00	Total for Check Number 11436:			
		07/15/2021	DANIEL LEWIS	10631	11437
2,887.80	_		TUITION/E-BOOK LEWIS/DAN	070921	
2,887.80	0.00	Total for Check Number 11437:			
78.00		07/15/2021	MARCO TECHNOLOGIES LLC COPIER LEASE M235DN	11839 INV8915064	11438
78.00	0.00	Total for Check Number 11438:			
150.00		07/15/2021	MILLER WELDING SERVICE REPAIR GATE LATCH	10701 062421	11439
150.00	0.00	Total for Check Number 11439:			
96.90 96.60 96.90 96.60 96.60		07/15/2021	MODEL UNIFORMS PW UNIF PW UNIF PW UNIF PW UNIF PW UNIF	11807 1513791 1515980 1518193 1520362 1522548	11440
483.60	0.00	Total for Check Number 11440:			
189.50		07/15/2021	MONARCH CLEANERS POLICE UNIF CLN	10712 070221	11441
189.50	0.00	Total for Check Number 11441:			
10,100	0.00	07/15/2021	NTM ENGINEERING INC	11332	11442
1,131.99			ES-417	11188	
1,131.99	0.00	Total for Check Number 11442:			
112.50		07/15/2021	P & A GROUP MONTHLY ADM FEE	11378 F73000436610	11443
112.50	0.00	Total for Check Number 11443:			

Check Amount	<b>Void Checks</b>	Check Date Reference	Vendor Name Description	Vendor No Invoice No	heck No
		07/15/2021	PA ONE CALL SYSTEM	10798	11444
85.77	_		MONTHLY ACTIVITY FEE-BASE	910970	
85.77	0.00	Total for Check Number 11444:			
508.48			RBA PROFESSIONAL DATA SYST 2021 SCH RE/PROCESS AND LOAD 2	10923 210390	11445
508.48	0.00	Total for Check Number 11445:			
		07/15/2021	REDLINE SPEED SHINE	10927	11446
560.66			FLEET MEMBERSHIP MAY AND JUN	3006	
560.66	0.00	Total for Check Number 11446:			
39.90		07/15/2021 ER	SITE ONE LANDSCAPE SUPPLY LESCO PROSERIES HANDHELD SPR	11476 110533479-001	11447
39.90	0.00	Total for Check Number 11447:			
		07/15/2021	SPRING TOWNSHIP SUPERVISOR	11026	11448
453.38			DUI CHECKPOINT JUNE	063021	
453.38	0.00	Total for Check Number 11448:			
527.00		07/15/2021 G DI	STOVER MCGLAUGHLIN HEARING FOR MASER/DRAFT ZOIN	11058 150725	11449
527.00	0.00	Total for Check Number 11449:			
		07/15/2021	TACTICAL WEAR	11844	11450
724.20			CUSTOM PATCHES	21-16780	
724.20	0.00	Total for Check Number 11450:			
	143.40 111.63	UTY 07/15/2021 VOID	UNIVERSITY AREA JOINT AUTH 3147 RESEARCH DRIVE 3147 RESEARCH DRIVE	11139 2121774 2121784	11451
0.00	255.03	Total for Check Number 11451:			
		07/15/2021	VOYA FINANCIAL	11847	11452
3,000.00	_		QUARTERLY MANAGEMENT FEE	063021	
3,000.00	0.00	Total for Check Number 11452:			
35.64		07/15/2021	WEST PENN POWER 1209 N ATHERTON STREET	11192 6438-JUL21	11453
34.14			N ATHERTON ST	7920-JUL21	
69.78	0.00	Total for Check Number 11453:			
		07/15/2021	WEX BANK	11194	11454
125.00			FUEL	063021	
125.00	0.00	Total for Check Number 11454:			
		NC 07/15/2021	WITMER PUBLIC SAFETY GROU	10771	11455
3,867.00	_		VESTS	2115713.004	
3,867.00	0.00	Total for Check Number 11455:			
		07/15/2021	X-PERT COMMUNICATIONS	11262	11456

Check Amount	<b>Void Checks</b>	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
150.00 150.00			SERV CALL SET UP DAVE'S CCTV VIEWING PROFILE	9214 9229	
300.00	0.00	Total for Check Number 11456:			
61.43		07/31/2021	ADVANCE AUTO PARTS PARTS	10010 6016113038449	11457
61.43	0.00	Total for Check Number 11457:			
01.43	0.00		AEL AC	10016	11450
118.17		07/31/2021	AFLAC INSURANCE WITHHELD	10016 549229	11458
118.17	0.00	Total for Check Number 11458:			
600.00		07/31/2021 H	ALL IN ONE BACKFLOW SERVICES ANNUAL INSPECTION AT 3147 RESERVE	10026 793	11459
600.00	0.00	Total for Check Number 11459:			
	630.00	07/31/2021 VOID	ALL TRAFFIC SOLUTIONS BATTERY	10027 SIN029181	11460
0.00	630.00	Total for Check Number 11460:			
9.39 139.95 32.00 969.70 27.08		07/31/2021	AMAZON CAPITAL SERVICES INC WIRELESS MOUSE BOOTS REPORT COVERS BOOTS CAR CHARGER	11242 11KF-9X3N-4471 11YX-Q1X3-RLYQ 1499-LWQY-YTNV 171C-PKVY-9P9L 1CQ3-6JQV-QJ9X	11461
25.49 35.93 37.16 1,618.74 95.99 93.50 28.28				1KRR-GPDQ-1KMT 1NNW-M7WY-NFDV	
12.98 30.94 236.70 29.30 237.32 56.59 12.89 56.68 73.72 119.27 292.57		ſ	NAME TAPES NAME TAPES MUTUAL AID TRAUMA KIT BY RESCUE RAIL/BIKE RACK DEHUMIDIFIER ENV MOISTENER WATER TOOL USB GPS RECIEVER RING LIGHT FOR WEB CAM FOR ZOOM INDUSTRIAL LUMBER MARKING CRAY CAMERA	1X6K-TYCQ-QDHY 1XGM-67YT-1FPW	
4,272.17	0.00	Total for Check Number 11461:			
333.20		2, 07/31/2021	ASAP HYDRAULICS STATE COLLECTION HOSE ASSY	11239 92819	11462
333.20	0.00	Total for Check Number 11462:			
861.00			BABST CALLAND CLEMENTS AND PINE HALL LAND USE APPEALS-CIRCLE	11649 1506510	11463
861.00	0.00	Total for Check Number 11463:			

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
11464	10085	BASTIAN TIRE & AUTO CENTERS	07/31/2021		
	148848	TIRES			602.24
	148911	TIRES			817.62
	148949	TIRES			606.32
	149263	TIRES			1,193.12
			Total for Check Number 11464:	0.00	3,219.30
11465	10100	BEST LINE EQUIPMENT	07/31/2021		
	E10750	STIHL HT 131			629.00
	P83044	FILTER/BEARING			56.76
	P83272	FILTERS			114.98
	P83547	BELT/PLUG/FITTING/HOSE/BOLT			44.55
	P83872	FILTER			114.98
	P83942	BELT/SHUT OFF/SPRINKLER			21.00
	P83943	BELT			10.66
	P83944	SENSOR			63.53
	P83945	BEARING			889.90
	P84006	SPOOL INSERT			32.00
	P84009	SENSOR			62.15
	P84048	STIHL			60.98
	R18784	PROPANE			63.00
			Total for Check Number 11465:	0.00	2,163.49
11466	10122	BOROUGH OF STATE COLLEGE	07/31/2021		
	072221	DUI CHECKPOINT JULY			126.78
	072221A	DUI CHECKPOINT JULY			126.78
	072321	DUI CHECKPOINT JULY			648.42
	072821	DUI CHECKPOINT JULY			171.12
	10058	SHARED IT SERVICES			16,559.40
			Total for Check Number 11466:	0.00	17,632.50
11467	11930	BUDS ELECTRIC	07/31/2021		
	16755	ALTERNATOR			131.93
			Total for Check Number 11467:	0.00	131.93
11.460	11004			0.00	131.73
11468	11224 71485	CAMPBELL DURRANT BEATTY PAL VACCINE INCENTIVE/TEAMSTERS	Of 0//31/2021		285.00
			Total for Check Number 11468:	0.00	285.00
11469	11221	CENTRE AREA TRANSPORTATION A	AU' 07/31/2021		
	16741	LOCAL OPERATING FUNDING			30,946.50
	16741	LOCAL CAPITAL FUNDING			4,404.75
			Total for Check Number 11469:	0.00	35,351.25
44.450	10101		07/04/0004		
11470	10184 130294	CENTRE COMMUNICATIONS INC ANTENNA	07/31/2021		29.40
	130274	MALAMA			27.40
			Total for Check Number 11470:	0.00	29.40
11471	10185	CENTRE CONCRETE COMPANY	07/31/2021		
	202854	SAFE/CURE&SEAL/HAND HELD SPRAY	ER.		284.57
	203227	NAIL STAKES			236.70
			Total for Check Number 11471:	0.00	521.27
	1010=	an man a a a a a a a a a a a a a a a a a		0.00	321.27
11472	10197	CENTRE COUNTY RECYCLING & R	EF 07/31/2021		

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	<b>Void Checks</b>	Check Amount
	1294596	TIRES			39.52
			Total for Check Number 11472:	0.00	39.52
11473	10201 052821 070921 072321	CENTRE COUNTY UNITED WAY U-WAY U-WAY U-WAY	07/31/2021		32.00 32.00 32.00
			Total for Check Number 11473:	0.00	96.00
11474	11958 072621	CHRIS BOYLE LAW ENFORCEMENT MONTHLY TRAINING/LEGAL UPDATES			866.25
			Total for Check Number 11474:	0.00	866.25
11475	10225 1901506041	CINTAS CORPORATION # 536 GLOVES/FACEMASKS	07/31/2021		265.00
			Total for Check Number 11475:	0.00	265.00
11476	10231 511984 514219	CLEARFIELD WHOLESALE PAPER C SOAP PUMP/WIPER HEAVY DUITY POP U EXT POLE/SQUEEGEE/WASHER			95.77 71.45
			Total for Check Number 11476:	0.00	167.22
11477	10236 2106042	CMT LABORATORIES CONCRETE CYLINDERS	07/31/2021		150.00
			Total for Check Number 11477:	0.00	150.00
11478	11376 073121 073121 073121	COLONIAL AUTO SUPPLY BATTERY/WIPER BLADES/OIL FILTERS FLUID FILTERS/GASKET/WHEEL WEIGHTS/OIL	07/31/2021 FI		413.76 209.62 354.04
			Total for Check Number 11478:	0.00	977.42
11479	10241 48419	COLONIAL PRESS 2500 #10 ENV	07/31/2021		480.00
			Total for Check Number 11479:	0.00	480.00
11480	10243 20006-AUG21	COLUMBIA GAS OF PA INC GAS	07/31/2021		55.24
			Total for Check Number 11480:	0.00	55.24
11481	10284 410963	CUSTOM ALTERATIONS PATCHES/NAME TAPES/BADGES	07/31/2021		115.20
			Total for Check Number 11481:	0.00	115.20
11482	11493 7064	CUTTING EDGE TREE PROFESSION STORM DAMAGE CLEANUP	AL 07/31/2021		1,990.00
			Total for Check Number 11482:	0.00	1,990.00
11483	10297 24645	DAVIDHEISERS INC STOP WATCH/SPEED CHEK TESTED	07/31/2021		380.00

Check Amount	Void Checks	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
380.00	0.00	Total for Check Number 11483:			
		07/31/2021	ECO-MAXX	11737	11484
127.50			OIL	214803	
127.50	0.00	Total for Check Number 11484:			
524.95			EXCEL PERFORMANCE PRODUCTS I EXCEL ANTI FRICTION METAL TREATME	10366 06-3059	11485
524.95	0.00	Total for Check Number 11485:			
		07/31/2021	FEDERAL EXPRESS	10374	11486
3.65			SNTRD OVRNGHT	9-601-89159	
3.65	0.00	Total for Check Number 11486:			
420.00 420.00 420.00		07/31/2021	FERGUSON TOWNSHIP POLICE ASSO UNION DUES UNION DUES UNION DUES	11217 052821 070921 072321	11487
1,260.00	0.00	Total for Check Number 11487:			
265,811.27		S 07/31/2021	FERGUSON TOWNSHIP SUPERVISOR TRANSFER TAX MAY 2021	10380 053121	11488
265,811.27	0.00	Total for Check Number 11488:			
770.77		07/31/2021	FISHER AUTO PARTS HORN/BATTERY/RAZOR BLADE/FUSE	10396 070121	11489
770.77	0.00	Total for Check Number 11489:			
		07/31/2021	FORESTRY SUPPLIERS INC	10405	11490
105.50		***************************************	SWEAT BAND/HAT/CAP	878779-01	
105.50	0.00	Total for Check Number 11490:			
245.00		07/31/2021	FRED CARSON DISPOSAL INC. COMMERCIAL RECYCLING/CARDBOARD	10409 94508	11491
245.00	0.00	Total for Check Number 11491:			
		07/31/2021	GENERAL CODE LLC	11518	11492
6,919.65		A'	CODE ANALYSIS/COMPOSITION/DUPLICA	PG000025891	
6,919.65	0.00	Total for Check Number 11492:			
750.00		07/31/2021	RYAN HENDRICK CLOTHING ALLOWANCE HENDRICK	10486 080321	11493
750.00	0.00	Total for Check Number 11493:			
		07/31/2021	HOME DEPOT CREDIT SERVICES	11593	11494
218.00	<u>-</u>		TRUE TEMPER STEEL WITH FLAT FREE	8280790	
218.00	0.00	Total for Check Number 11494:			
97.26 1,320.20		07/31/2021	HUNTER KEYSTONE PETERBILT, LP COVER/HORN FUEL TANK/T BOLT	11286 X0204083343:01 X204083942:01	11495

Check No	Vendor No Vendor Name Invoice No Description		Check Date Reference	Void Checks	Check Amount
			Total for Check Number 11495:	0.00	1,417.46
11496	10565 234247	JOHN TENNIS TOWING FLAT TIRE	07/31/2021		100.00
			Total for Check Number 11496:	0.00	100.00
11497	10568 130616	K & S DISTRIBUTION GEAR OIL TREATMENT	07/31/2021		92.50
			Total for Check Number 11497:	0.00	92.50
11498	10618 9308602953	LAWSON PRODUCTS INC GLOVES/FLANGE HEX NUT/SCREW	07/31/2021		542.31
			Total for Check Number 11498:	0.00	542.31
11499	10626 080921	CHRIS LEIDY IMSA TRAINING MEMEBERSHIP LEIDY	07/31/2021		100.00
			Total for Check Number 11499:	0.00	100.00
11500	10644 793	LOWES COMPANIES INC ANNUAL INSPECTION AT 3147 RESEARCH	07/31/2021 VOID	600.00	
			Total for Check Number 11500:	600.00	0.00
11501	11943 4326	M & B SERVICES LLC WEST COLLEGE POLE REPLACEMENT	07/31/2021		3,487.72
			Total for Check Number 11501:	0.00	3,487.72
11502	11704 080121 080121 080121 080121	MADISON NATIONAL LIFE STD VOL LIFE INS BASIC LIFE AD&D LTD	07/31/2021		609.12 395.01 545.34 665.70
			Total for Check Number 11502:	0.00	2,215.17
11503	10762 29630423 29636182 29707308	MARCO COPIER LEASE 3553CI COPIER LEASE M3550IDN COPIER LEASE 3252CI	07/31/2021		660.12 238.42 860.06
			Total for Check Number 11503:	0.00	1,758.60
11504	10673 28629-0 28807-0 28855-0 29473-0	MCCARTNEYS INC PENS FILE, STORAGE FOLDER PAD	07/31/2021		23.66 82.07 15.98 17.48
			Total for Check Number 11504:	0.00	139.19
11505	10203 108669 108676 48120 50302	MCCLATCHY COMPANY LLC AD FOR BOS MTG AD FOR ZHB MTG AD FOR BOS MTG AD FOR POLICE OFFICER	07/31/2021		377.90 274.60 1,820.56 677.60

Check Amount	Void Checks	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
3,150.66	0.00	Total for Check Number 11505:			
		07/31/2021	MIDSTATE TOOL & SUPPLY INC	10692	11506
308.18	_		SOLAR BOOSTER PAC PPS 3000PEAK AMI	482523483	
308.18	0.00	Total for Check Number 11506:			
171.60 96.60		07/31/2021	MODEL UNIFORMS PW UNIF PW UNIF	11807 072221 1524731	11507
268.20	0.00	Total for Check Number 11507:			
200.20	0.00	07/31/2021	MONARCH CLEANERS	10712	11508
159.75 5.35		0//31/2021	POLICE UNIF CLN CHIEFS UNIF CLN	080321 080321	11308
165.10	0.00	Total for Check Number 11508:			
		07/31/2021 VOID	NITTANY SUPPLY INC.	10373	11509
	207.99 438.67		BATTERY BATTERY	698756 700189	
0.00	646.66	Total for Check Number 11509:			
2,210.06			NOERR'S INTERNATIONAL - LEWIST FILTERS/FUEL TANK/LINING/SPRING/TUI	10760 063021	11510
2,210.06	0.00	Total for Check Number 11510:			
		07/31/2021	P & A GROUP	11378	11511
108.00			MONTHLY ADM FEE	F730000437781	
108.00	0.00	Total for Check Number 11511:			
	150.00	07/31/2021 VOID	PA CHIEFS OF POLICE ASSOCIATION JOB ADVERTISEMENT FOR POLICE TEST	10785 072621	11512
0.00	150.00	Total for Check Number 11512:			
		07/31/2021	PA DEPT OF LABOR & INDUSTRY-B	10792	11513
927.06		Į.	VESSEL CERTIFICATES/BOILER CERTIFIC	116155	
927.06	0.00	Total for Check Number 11513:			
492.64		07/31/2021	PA MEDIA GROUP AD FOR POLICE OFFICER	11616 10015749	11514
492.64	0.00	Total for Check Number 11514:			
		07/31/2021	PA TURNPIKE	11879	11515
18.00			TOLL FEE	109963277-1	
23.00	-		TOLL FEE	109963277-2	
41.00	0.00	Total for Check Number 11515:			
361.38		07/31/2021	PITNEY BOWES GLOBAL FINANCIAL POSTAGE MACHINE RENTAL	10864 3313802560	11516
361.38	0.00	Total for Check Number 11516:			
		07/31/2021	PITTSBURGH POST-GAZETTE	11825	11517

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Checks	Check Amount
	61544	AD FOR POLICE OFFICER			601.00
			Total for Check Number 11517:	0.00	601.00
11518	11893 073121	JAYMES PROGAR TUITION PROGAR	07/31/2021 VOID	1,413.72	
			Total for Check Number 11518:	1,413.72	0.00
11519	10939 a06202-002	RITTER TECHNOLOGY LLC FILTERS	07/31/2021		249.15
			Total for Check Number 11519:	0.00	249.15
11520	11739 071621	ARMEN D. SAHAKIAN TREE BOND RELEASE	07/31/2021		577.00
			Total for Check Number 11520:	0.00	577.00
11521	11476 110310870-001 110760772-001 111257576-001	SITE ONE LANDSCAPE SUPPLY TREEKOTE TREE WOUND DRESSING/LES TREEKOTE TREE WOUND DRESSING PRUNER/HERBICIDE	07/31/2021		97.79 71.19 316.95
			Total for Check Number 11521:	0.00	485.93
11522	11614 ARV/48841049 ARV/48852913 ARV/48978775	SNAP ON INDUSTRIAL SKT SET/FLX SKT/RED SET/ORG SET 7IN CURVE LOCKPLIERW/CUTR/SOCKET/ 10IN CURVE LOCKPLIERW/CUTR	07/31/2021 I		1,450.26 91.94 47.97
			Total for Check Number 11522:	0.00	1,590.17
11523	11017 1444050 1445135	SOSMETAL PRODUCTS INC WIRE/WHEEL WEIGHTS/BRASS FITTING TAPE/ALKALINE/RECHARGEABLE LIGHT	07/31/2021		306.64 283.46
			Total for Check Number 11523:	0.00	590.10
11524	11026 073121	SPRING TOWNSHIP SUPERVISORS DUI CHECKPOINT JULY 6, 7, 10, 28, 30, 19	07/31/2021		776.13
			Total for Check Number 11524:	0.00	776.13
11525	11037 140167&140284 140631&140636	STATE COLLEGE FORD LINCOLN INC SHOCK/INSULATOR/ROTOR BELT/BRAKE PAD	2 07/31/2021		578.73 81.24
			Total for Check Number 11525:	0.00	659.97
11526	11045 10170026 10170648	STEPHENSON EQUIPMENT INC HYDRUALIC FL MAIN ELEMENT/AIR PURIFIER	07/31/2021		308.70 152.07
			Total for Check Number 11526:	0.00	460.77
11527	11050 7716	STOCKER CHEVROLET INC GASKET/HARNESS/BUCKLE KIT	07/31/2021		386.73
			Total for Check Number 11527:	0.00	386.73
11528	11058 151314	STOVER MCGLAUGHLIN MASER ZONING DECISION/ZHB MTG	07/31/2021		748.00

Check Amount	Void Checks	Check Date Reference	Vendor Name Description	Vendor No Invoice No	Check No
748.00	0.00	Total for Check Number 11528:			
0.4.		07/31/2021	SUNBELT RENTALS, INC.	11763	11529
964.25	-		TOWABLE ART MANLIFT	114738576-0001	
964.25	0.00	Total for Check Number 11529:			
1,375.55		NT 07/31/2021	SWARTZ FIRE & SAFETY EQUIPM ANNUAL MAINTENANCE OF FIRE EXT	11073 428989	11530
1,375.55	0.00	Total for Check Number 11530:			
		07/31/2021	TACTICAL WEAR	11844	11531
3,666.68	<u>-</u>		PANTS/SHIRTS	21-16864	
3,666.68	0.00	Total for Check Number 11531:			
		07/31/2021	THE EMBLEM AUTHORITY	10353	11532
754.00	_		CHEVRONS	36744	
754.00	0.00	Total for Check Number 11532:			
		07/31/2021	U S MUNICIPAL SUPPLY INC	11136	11533
112.05 175.79			SIGNS SIGNS	6183912 6184960	
583.17			SIGNS	6184960	
1,575.10			SIGNS	6185342	
61.36	_		SIGNS	6185426	
2,507.47	0.00	Total for Check Number 11533:			
		07/31/2021	ULINE	11137	11534
174.95 126.93			ADVIL/EAR PLUGS TAPE/CLEAR CARTON SEAL	135483361 136112218	
120.93	-		III E OBE III OI WOLLE	130112210	
301.88	0.00	Total for Check Number 11534:			
40.00		07/31/2021	UNITED RENTALS EAR PLUGS	11613 195324764-001	11535
40.00	-		EAR PLUGS	193324704-001	
40.00	0.00	Total for Check Number 11535:			
1.12.10		IT: 07/31/2021	UNIVERSITY AREA JOINT AUTHOR	11139	11536
143.40 111.63			3147 RESEARCH DRIVE 3147 RESEARCH DRIVE	2121774 2121784	
255.03	0.00	Total for Check Number 11536:			
233.03	0.00		MEDIZON WIDELEGG	11150	11527
40.12		07/31/2021	VERIZON WIRELESS AIRTIME CARD	11159 9883140507	11537
67.47			POLICE CELL USE	9883140507	
10.00			POLICE CELL PHONE WITHHOLDING	9883140507	
42.33 40.01			ADM CELL USE HOT BOX USE	9883140507 9883140507	
112.50			PZ & OEO CELL USE	9883140507	
-10.00			CELL PHONE WITHHOLDING	9883140507	
302.43	0.00	Total for Check Number 11537:			
		07/31/2021	VIGILANT SECURITY	11165	11538
152.25			MONITORING	27916	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	<b>Void Checks</b>	Check Amount
		-	Total for Check Number 11538:	0.00	152.25
				0.00	132.23
11539	11192	WEST PENN POWER	07/31/2021		
	0873-JUL21	WHITEHALL RD/W COLLEGE	01.433.036		44.50
	1054-JUL21	W COLLEGE AVE	01.433.036		50.78
	1966-JUL21	225 SCIENCE PARK RD	01.433.036		41.35
	2449-JUL21	WESTERLY PKWY BLUE CR	01.433.036		36.01
	2510-JUL21	W CHERRY LN MARTIN ST	01.433.036		48.94
	2691-JUL21	SCIENCE PARK ROAD	01.433.036		39.31
	2711-JUL21	SCIENCE PARK ROAD	01.433.036		51.90
	3377-JUL21	BRISTOL AVE	01.433.036		36.19
	5290-JUL21	1901 CIRCLEVILLE ROAD	01.433.036		33.67
	5727-JUL21	OFFICE COMPLEX	01.409.036		213.09
	5843-JUL21	1301 W COLLEGE AVE	01.433.036		44.50
	6113-JUL21	GARAGE/MAINT BLDG	01.433.036		226.55
	6150-JUL21	OLD GATESBURG RD	01.433.036		59.21
	6438-JUL21	1209 N ATHERTON ST	01.433.036		35.64
	6651-JUL21	BIKE TUNNEL	01.433.036		115.50
	6725-JUL21	BLDG #3	01.433.036		123.52
	6735-JUL21	N HILLS DR	01.433.036		33.58
	7595-JUL21	1282 N ATHERTON ST	01.433.036		55.52
	7852-JUL21	PGM-BLINKER-EAST	01.433.036		15.27
	7920-JUL21	N ATHERTON ST	01.433.036		34.14
	8100-JUL21	2100 W COLLEGE AVE	01.433.036		41.08
	8136-JUL21	BLUE COURSE DR & HAVENSHIRE DR	01.433.036		33.46
	8506-JUL21	BLUE COURSE DRIVE	01.433.036		22.90
	9110-JUL21	W COLLEGE AVE	01.433.036		37.08
	9608-JUL21	3147 RESEARCH DRIVE	01.433.036		1,248.47
	9975-JUL21	AARON DR MARTIN ST	01.433.036		37.36
			Total for Check Number 11539:	0.00	2,759.52
11540	11957 7496	WESTMATIC CORPORATION WASH DEGREASER/DETERGENT	07/31/2021		1,119.85
			Total for Check Number 11540:	0.00	1,119.85
11541	11956	WILLIAMSPORT SUN-GAZETTE	07/31/2021		
	785257	ADD FOR POLICE OFFICER			224.90
			Total for Check Number 11541:	0.00	224.90
11542	10771	WITMER PUBLIC SAFETY GROUP IN	NC 07/31/2021		
	2115713.002	CUFF			51.00
	2115713.003	DOUBLE PISTOL TACO MOLLE 2 PISTOI	L M		291.00
			Total for Check Number 11542:	0.00	342.00
11543	11205	WOODRINGS FLORAL GARDENS	07/31/2021		
	706719 706719	FLOWERS FOR DRAWL/WELKER/MART FLOWERS AT INTERSECTION 45/26	IN/		205.80 734.91
			Total for Check Number 11543:	0.00	940.71
	10015			0.00	940.71
11544	10845	PENNSYLVANIA MUNICIPAL HEALT	1H 07//29/2021		
	61182-0	DENTAL INS			3,801.04
	61182-0	EYECARE INS			599.42
	61182-0	HEALTHCARE INS			67,045.13
	63757-0	DENTAL INS			3,890.91
	63757-0	HEALTHCARE INS			65,803.22

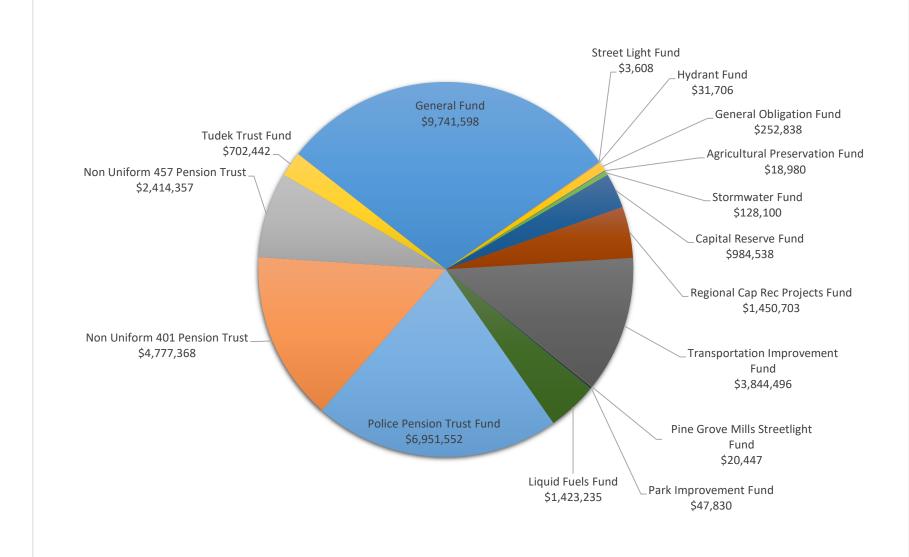
Check Amount	Void Checks	Check Date	Vendor Name	Vendor No	Check No
		Reference	Description	Invoice No	
613.19			EYECARE INS	63757-0	
613.19			EYECARE INS	66553-0	
3,890.91			DENTAL INS	66553-0	
68,632.82	_		HEALTHCARE INS	66553-0	
214,889.83	0.00	Total for Check Number 11544:			
		G ( 07/15/2021	NATIONAL WATER MAIN CLEANII	11914	2017100
19,693.48	_		CIPP LINING	071921	
19,693.48	0.00	Total for Check Number 2017100:			
		07/15/2021	SIGNAL CONTROL PRODUCTS IN	10997	2017101
580.00			60' RADAR HARNESS	20211313	
580.00	0.00	Total for Check Number 2017101:			
		07/31/2021	M & B SERVICES LLC	11943	2017102
3,844.00			SCIENCE PARK RD AND W COLLEGE A	4329	2017102
	_				
3,844.00	0.00	Total for Check Number 2017102:			
		07/15/2021	THE HARTMAN GROUP	10481	20200924
6,329.49			21-22 PACKAGE POLICY	2384	
6,329.49	0.00	otal for Check Number 20200924:			
		TY 07/15/2021	UNIVERSITY AREA JOINT AUTHO	11139	20200925
104.00			425 PARK CREST LANE	2111411	
104.00	0.00	otal for Check Number 20200925:			
		07/31/2021	ALL IN ONE BACKFLOW SERVICE	10026	20200926
75.00			ANNUAL INSPECTION AT 425 PARK CH	811	20200720
75.00	0.00	otal for Check Number 20200926:			
73.00	0.00				
75.00		07/31/2021	LOWES COMPANIES INC	10644	20200927
75.00	_	51	ANNUAL INSPECTION AT 425 PARK CH	811	
75.00	0.00	otal for Check Number 20200927:			
		07/31/2021	WEST PENN POWER	11192	20200928
15.97		93.454.249	425 PARK CREST LANE	6563-JUL21	
15.97	0.00	otal for Check Number 20200928:			
1 212 ((0 00	20,422,57	D			
1,212,668.88	28,422.57	Report Total (152 checks):			



# **MONTHLY TREASURERS REPORT**

# **JUNE 2021**





# Ferguson Township Treasurer's Report June 30, 2021

## Statement of Cash Balances

General Fund	
Checking	
Jersey Shore State Bank Operating Checking (3245)	5,632,06
Jersey Shore State Bank Investment Checking (5531)	2,318,66
JSSB Flex Plan Checking (8757)	84,57
Ameriserv Money Market 2602	263,52
Ameriserv CD (0210) (matures 12/3/21)(1/3 of total)	268,15
PLGIT General Fund Classs (3017)	371,58
PLGIT General Fund Prime (3017)	803,01
TOTAL GENERAL FUND	9,741,59
Other Funds	
Fund 02 Street Lights	
JSSB Checking (4836)	3,60
Fund 03 Fire Hydrant	
JSSB Checking (4844)	31,70
Fund 16 General Obligation	
JSSB Checking (4852)	252,83
JSSB 2019 Bond Checking	
Fund 19 Agricultural Preservation	
JSSB Checking (4879)	18,98
Fund 20 Stormwater Fund	
JSSB Checking (1711)	128,10
Fund 30 Capital Reserve	
Paypal Account	27,72
JSSB Checking (Employee Wellness Sinking Fund)(4909)	15,62
JSSB Capital Reserve Checking (3555)	152,61
JSSB Checking (PW Equipment Sinking Fund)(4895)	504,80
JSSB Checking (Bldg Equipment Sinking Fund)(4887)	283,76
Fund 31 Regional Capital Recreation Projects	
JSSB Checking (3547)	919,02
Ameriserv Money Market 2818	263,52
Ameriserv CD (0210) (matures 12/3/21)(1/3 of total)	268,15
Fund 32 Transportation Improvement	
JSSB Checking (3539)	1,990,15
PLGIT Checking (Class & Plus)(3261)	315,51
PLGIT Checking (Prime)(3261)	1,007,14
Ameriserv Money Market 2693	263,52
Amerisery CD (0210) (matures 12/3/21)(1/3 of total)	268,15
Fund 33 Pine Grove Mills Street Lights	
JSSB Checking (4917)	20,44

Ferguson Township Treasurer's Report								
June 30, 2021								
Statement of Cash Balances								
JSSB Checking (4925)	47,829.79							
Fund 35 Liquid Fuels								
JSSB Checking (4933)	80,538.81							
PLGIT Checking (Class) (3020)	941,143.95							
PLGIT Checking (Prime) (3020)	401,552.05							
Fund 93 Tudek Memorial Trust								
JSSB Checking (4976)	(4,996.12)							
FNB Investments (@market)	172,199.23							
Centre Foundation Investments	535,238.48							
TOTAL OTHER FUNDS	8,908,923.52							
TOTAL NON PENSION FUNDS	18,650,521.50							
Employer Pension Trust Funds								
Fund 60 Police Pension Trust								
JSSB Checking (4941)	10,799.35							
PNC Enterprise Checking (9642)	47,981.39							
PNC Investments (@market)(includes accrued interest)	6,892,771.11							
Fund 65 Non Uniformed 401a Pension Trust								
JSSB Checking (4968)	88.03							
TASC-RHS (3922) Employee Retirement Health Savings Trust (@market)	106,350.30							
ICMA-RHS (801695) Employee Retirement Health Savings Trust (@ market)	154.62							
Voya-401 (664582) Employee Pension Investment Trust (@ market)	4,517,598.24							
ICMA-401 (108860) Employer Pension Investment Trust (@ market)	153,176.62							
TOTAL PENSION TRUST FUNDS	11,728,919.66							
GRAND TOTAL	30,379,441.16							
Employee Pension Trust Funds								
Fund 66 Non Uniformed 457 Dension Trust								
Fund 66 Non Uniformed 457 Pension Trust	2 242 244 26							
Voya-457 (664581) Employee Pension Investment Trust (@ market)	2,312,341.36							
ICMA-457 (300747) Employee Pension Investment Trust (@ market)	94,419.65							
IPX-Services IRA () Individual Retirement Accounts (@ market)	7,596.36							
ICMA-ROTH IRA (706007) Employee Pension Investment Trust (@ market)	0.00							
	2,414,357.37							

## Bank Reconciliation

## Uncleared Checks by Fund

User: eendresen

Printed: 09/01/2021 - 12:48PM

Checks Before: 06/30/2021



Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
01	GENERAL FUND	)				
9001	08/22/2019	Uncleared	AP	10263	CORMANS MAIL SERVICE	2,873.11
9183	10/15/2019	Uncleared	AP	11593	HOME DEPOT CREDIT SERVICES	288.05
9272	11/15/2019	Uncleared	AP	10035	ALS TECHNOLOGIES INC	1,145.00
9297	11/15/2019	Uncleared	AP	11253	INFRADAPT LLC	3,221.44
9340	11/29/2019	Uncleared	AP	11855	ANDERSON INDUSTRIAL MACHINERY	769.80
9437	12/31/2019	Uncleared	AP	10035	ALS TECHNOLOGIES INC	1,145.00
9562	01/20/2020	Uncleared	AP	11173	WALKER & WALKER EQUIPMENT II LLC	43.19
9725	02/28/2020	Uncleared	AP	11248	CENTRO PRINT SOLUTIONS	100.17
9806	03/15/2020	Uncleared	AP	11797	LANDPRO EQUIPMENT LLC	759.15
9874	03/31/2020	Uncleared	AP	11877	RUSSIAN CHURCH OF CHRIST	78.11
9937	04/30/2020	Uncleared	AP	11537	COMMONWEALTH OF PA	50.00
10091	05/31/2020	Uncleared	AP	11490	RECONYX, INC	970.51
10331	08/14/2020	Uncleared	AP	10244	COMCAST	1,050.00
10444	09/15/2020	Uncleared	AP	10208	CENTRE REGION COUNCIL OF GOVERNMENTS	22.50
10471	09/15/2020	Uncleared	AP	10813	PARK TRAVIS	16.10
10602	10/15/2020	Uncleared	AP	10893	PRINT O STAT INC	1,849.00
10774	12/15/2020	Uncleared	AP	10346	ECOLAWN	90.00
10908	01/15/2021	Uncleared	AP	10846	PENNSYLVANIA MUNICIPAL LEAGUE	2,264.32
10915	01/30/2021	Uncleared	AP	11239	ASAP HYDRAULICS STATE COLLEGE, INC	42.99
10920	01/30/2021	Uncleared	AP	11930	BUDS ELECTRIC	437.01
10974	01/30/2021	Uncleared	AP	10493	THE HITE COMPANY	75.84
11001	02/15/2021	Uncleared	AP	10247	COMMONWEALTH OF PA	35.00
11005	02/15/2021	Uncleared	AP	11445	GIANT FOOD STORES LLC	35.00
11013	02/15/2021	Uncleared	AP	10673	MCCARTNEYS INC	86.16
11034	02/15/2021	Uncleared	AP	11192	WEST PENN POWER	955.52
11098	03/31/2021	Uncleared	AP	10120	BORING COURT REPORTING	225.00
11209	04/30/2021	Uncleared	AP	10148	CALIBRE PRESS	1,518.00
11219	04/30/2021	Uncleared	AP	11336	F.O.P. LODGE #37	205.00
11244	04/30/2021	Uncleared	AP	11139	UNIVERSITY AREA JOINT AUTHORITY	39.76
11315	05/31/2021	Uncleared	AP	10418	GALETON	187.53

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
11321	05/31/2021	Uncleared	AP	11946	HUFFMAN CHELSEA	3,009.60
11333	05/31/2021	Uncleared	AP	10701	MILLER WELDING SERVICE	350.00
11358	05/31/2021	Uncleared	AP	11948	TANKNOLOGY INC.	588.50
11365	06/15/2021	Uncleared	AP	10010	ADVANCE AUTO PARTS	61.43
11366	06/15/2021	Uncleared	AP	11242	AMAZON CAPITAL SERVICES INC	93.50
11367	06/15/2021	Uncleared	AP	11649	BABST CALLAND CLEMENTS AND ZOMNIR P.C.	5,545.50
11368	06/15/2021	Uncleared	AP	10085	BASTIAN TIRE & AUTO CENTERS	606.32
11369	06/15/2021	Uncleared	AP	10100	BEST LINE EQUIPMENT	2,750.01
11370	06/15/2021	Uncleared	AP	10122	BOROUGH OF STATE COLLEGE	1,026.03
11371	06/15/2021	Uncleared	AP	10201	CENTRE COUNTY UNITED WAY	64.00
11372	06/15/2021	Uncleared	AP	10231	CLEARFIELD WHOLESALE PAPER COMPANY INC	1,079.50
11373	06/15/2021	Uncleared	AP	10244	COMCAST	1,134.00
11374	06/15/2021	Uncleared	AP	11760	COMCAST	139.84
11376	06/15/2021	Uncleared	AP	10297	DAVIDHEISERS INC	416.00
11377	06/15/2021	Uncleared	AP	11297	DRAWL FAYE	617.82
11378	06/15/2021	Uncleared	AP	11737	ECO-MAXX	105.00
11379	06/15/2021	Uncleared	AP	11217	FERGUSON TOWNSHIP POLICE ASSOCIATION	840.00
11380	06/15/2021	Uncleared	AP	10396	FISHER AUTO PARTS	131.82
11381	06/15/2021	Uncleared	AP	11635	GREAT AMERICA FINANCIAL SERVICES	191.64
11382	06/15/2021	Uncleared	AP	11264	GROFF TRACTOR & EQUIPMENT	239.32
11383	06/15/2021	Uncleared	AP	11951	HOFFMAN LEAKEY ARCHITECTS LLC	100.00
11384	06/15/2021	Uncleared	AP	11946	HUFFMAN CHELSEA	3,009.60
11385	06/15/2021	Uncleared	AP	10565	JOHN TENNIS TOWING	300.00
11386	06/15/2021	Uncleared	AP	10762	MARCO	449.27
11387	06/15/2021	Uncleared	AP	10673	MCCARTNEYS INC	12.39
11388	06/15/2021	Uncleared	AP	11807	MODEL UNIFORMS	99.50
11389	06/15/2021	Uncleared	AP	10373	NITTANY SUPPLY INC.	66.78
11390	06/15/2021	Uncleared	AP	11378	P & A GROUP	112.50
11391	06/15/2021	Uncleared	AP	10882	PORTAGE POWER WASH INC	401.75
11392	06/15/2021	Uncleared	AP	10932	RESERVE ACCOUNT	1,000.00
11393	06/15/2021	Uncleared	AP	10998	SIGNAL SERVICE INC	2,233.00
11394	06/15/2021	Uncleared	AP	11476	SITE ONE LANDSCAPE SUPPLY	353.97
11395	06/15/2021	Uncleared	AP	11017	SOSMETAL PRODUCTS INC	249.21
11396	06/15/2021	Uncleared	AP	11026	SPRING TOWNSHIP SUPERVISORS	431.44
11397	06/15/2021	Uncleared	AP	11029	STAHL SHEAFFER ENGINEERING LLC	2,605.00
11398	06/15/2021	Uncleared	AP	11136	U S MUNICIPAL SUPPLY INC	1,558.36
11399	06/15/2021	Uncleared	AP	11159	VERIZON WIRELESS	302.41
11400	06/15/2021	Uncleared	AP	11199	WILLIAMS BROTHERS	60.23
11401	06/15/2021	Uncleared	AP	10771	WITMER PUBLIC SAFETY GROUP INC	1,326.00
11402	06/30/2021	Uncleared	AP	10026	ALL IN ONE BACKFLOW SERVICES	75.00
11403	06/30/2021	Uncleared	AP	10225	CINTAS CORPORATION # 536	250.00

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
11404	06/30/2021	Uncleared	AP	10243	COLUMBIA GAS OF PA INC	173.99
11405	06/30/2021	Uncleared	AP	10324	DONS POWER EQUIPMENT	32.89
11406	06/30/2021	Uncleared	AP	10374	FEDERAL EXPRESS	60.88
11407	06/30/2021	Uncleared	AP	10380	FERGUSON TOWNSHIP SUPERVISORS	145,700.01
11408	06/30/2021	Uncleared	AP	10565	JOHN TENNIS TOWING	100.00
11409	06/30/2021	Uncleared	AP	10618	LAWSON PRODUCTS INC	125.86
11410	06/30/2021	Uncleared	AP	11704	MADISON NATIONAL LIFE	2,167.59
11411	06/30/2021	Uncleared	AP	10762	MARCO	912.56
11412	06/30/2021	Uncleared	AP	11332	NTM ENGINEERING INC	3,461.06
11413	06/30/2021	Uncleared	AP	10916	R C BOWMAN INC	1,698.75
11414	06/30/2021	Uncleared	AP	11716	ROD'S SALES & SERVICE	195.45
11415	06/30/2021	Uncleared	AP	11665	TERMINAL SUPPLY COMPANY	161.66
11416	06/30/2021	Uncleared	AP	11668	WALTERS, LCSW CRAIG M.	20.00
11417	06/30/2021	Uncleared	AP	11192	WEST PENN POWER	3,459.15
					Fund 01Total:	212,834.35
02	STREET LIGHT I					
143	02/15/2021	Uncleared	AP	11192	WEST PENN POWER	21.71
149	06/15/2021	Uncleared	AP	11192	WEST PENN POWER	999.51
150	06/30/2021	Uncleared	AP	11192	WEST PENN POWER	1,225.45
					Fund 02Total:	2,246.67
20	STORMWATER F	FUND				
10	06/15/2021	Uncleared	AP	11332	NTM ENGINEERING INC	2,270.00
11	06/15/2021	Uncleared	AP	11676	WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS	4,128.00
12	06/30/2021	Uncleared	AP	10046	AMERON CONSTRUCTION	36,231.25
13	06/30/2021	Uncleared	AP	11537	COMMONWEALTH OF PA	500.00
14	06/30/2021	Uncleared	AP	11676	WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS	2,212.50
					Fund 20Total:	45,341.75
30	CAPITAL RESER	VE FUND				
806	12/15/2020	Uncleared	AP	10755	THE HON COMPANY	18,730.00
880	05/31/2021	Uncleared	AP	11214	ZEIGLERS PACKING & CRATING	42.50
881	06/15/2021	Uncleared	AP	10236	CMT LABORATORIES	37.50
882	06/15/2021	Uncleared	AP	10396	FISHER AUTO PARTS	51.91
883	06/15/2021	Uncleared	AP	11675	GREENFIELD ARCHITECTS LTD	1,106.88
884	06/15/2021	Uncleared	AP	11850	J C ORR & SON INC	11,436.00
885	06/15/2021	Uncleared	AP	10644	LOWES COMPANIES INC	175.80
886	06/30/2021	Uncleared	AP	11881	LEONARD S. FIORE INC	69,463.57
887	06/30/2021	Uncleared	AP	11880	WHITMAN, REQUARDT & ASSOCIATES, LLP	675.00

Fund/Check No.	Check Date	Clear Date	System	Vendor/Employee No.	Vendor/Employee Name	Amount
					Fund 30Total:	101,719.16
32	TD A NICDORT IM	PROVEMENT FUND				,,,,,,,,
2017099	06/15/2021	Uncleared	AP	11910	BARTON ASSOCIATES	3,760.00
2017077						
					Fund 32Total:	3,760.00
34	PARK IMPROVE	MENT FUND				
69	06/15/2021	Uncleared	AP	11332	NTM ENGINEERING INC	692.10
•						
					Fund 34Total:	692.10
35	LIQUID FUELS I	FUND				
405	06/15/2021	Uncleared	AP	10509	HRI INC	504.91
406	06/15/2021	Uncleared	AP	10644	LOWES COMPANIES INC	512.00
					Fund 35Total:	1,016.91
93	TUDEK PARK T	RUST FUND				
214	06/02/2021	Uncleared	AP	11035	STATE COLLEGE BOROUGH WATER AUTHORITY	0.00
20200914	02/15/2021	Uncleared	AP	11192	WEST PENN POWER	81.75
20200922	06/15/2021	Uncleared	AP	11573	TRIANGLE CONSTRUCTION AND REMODELING LLC	14,412.00
20200923	06/30/2021	Uncleared	AP	11192	WEST PENN POWER	11.88
					Fund 93Total:	14,505.63
					Grand Total:	382,116.57

## ALPHA SPACE CONTROL CO., INC.

**INVOICE** 

1580 GABLER ROAD CHAMBERSBURG, PA 17201

DATE	INVOICE #
8/12/2021	55864

NAME / ADDRESS

FERGUSON TOWNSHIP CENTRE COUNTY 3147 RESEARCH DRIVE STATE COLLEGE, PA 16801

ATTN: RYAN SCALAN

JOB: 2021 TRAFFIC MARKINGS (21-262)

ADDRESS:

CITY/ST: CENTRE COUNTY, PA.

TERM	MS	DUE DATE   CUSTOMER P.O. N		ALPHA P/SO#	SALES REP:
		9/11/2021		21-262	CHRIS / RICH
QTY		DESCRIPTI	ON	COST	TOTAL
28,479 37,463 299 920 10 4 2 66 6	LF OF 4" SINGLE LF OF 4" OR 6" LF OF 24" WHITH HATCHING LF 8" OF WHITE EA PENNDOT AT 8' SLOW LEGEN BIKE SYMBOL 12 X 18 YIELD T LARGE CURVE A	SINGLE WHI'E: STOP BAR CROSSWAL RROWS D FRIANGLES ARROWS TED ITEM*** HITE HATCH SALES TAX TEMPORATION MARKINGS TEM	TE LINE / CROSSWALK/ K IING AT ARRON	0.06 0.06 2.35 1.95 50.00 75.00 50.00 2.50 85.00 0.50 6.00%	1,708.74 2,247.78 702.65  1,794.00 500.00 300.00 100.00 165.00 510.00  249.00  0.00

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE.

VISA & MASTERCARD NOW BEING ACCEPTED. THANK YOU FOR YOUR PATRONAGE.

TOTAL

\$8,277.17

RTS Pay

#### CONTRACT 2021-C8 PAVEMENT MARKINGS Ferguson Township Construction Quantities

No.	Item	Unit	Ferg. Twp. Initial Qty	Unit Price	Pay App 1 Qtys	Pay App 1 Sub-Total	Pay App 2 Qtys	Pay App 2 Sub-Total	Pay App 3 Qtys	Pay App 3 Sub-Total	Pay App 4 Qtys	Pay App 4 Sub-Total
1	4" YELLOW LONG LINE	LF	394,998	\$0.060	396,843	\$23,810.58	0	\$0.00		\$0.00	28,479	\$1,708.74
2	4" or 6" WHITE LONG LINE	LF	358,953	\$0.060	321,627	\$19,297.62	0	\$0.00		\$0.00	37,463	\$2,247.78
3	6" YELLOW BIKE PATH LINE	LF	2,626	\$0.060	2,623	\$157.38	0	\$0.00		\$0.00		\$0.00
4	24" WHITE (STOP / CROSS WALK / HATCHING)	LF	5,017	\$2.35	4,250	\$9,987.50	1,541	\$3,621.35		\$0.00	299	\$702.65
5	24" YELLOW (HATCHING)	LF	708	\$2.35	0	\$0.00	0	\$0.00		\$0.00		\$0.00
6	18" WHITE HATCHING (BIKE CROSSING)	LF	0	\$2.25	0	\$0.00	0	\$0.00		\$0.00		\$0.00
7	12" WHITE (VASCAR / HATCH)	LF	1,512	\$2.15	648	\$1,393.20	1,143	\$2,457.45		\$0.00		\$0.00
8	8" WHITE CROSS WALK	LF	8,841	\$1.95	0	\$0.00	0	\$0.00		\$0.00	920	\$1,794.00
9	6" WHITE CROSSWALK	LF	0	\$1.85	6,284	\$11,625.40	1,783	\$3,298.55		\$0.00		\$0.00
10	4" WHITE PARKING STALL	LF	3,371	\$0.30	513	\$153.90	60	\$18.00	2,691	\$807.30		\$0.00
11	SINGLE ARROW	EA	372	\$50.00	337	\$16,850.00	60	\$3,000.00		\$0.00	10	\$500.00
12	COMBINATION ARROW	EA	9	\$100.00	7	\$700.00	5	\$500.00		\$0.00		\$0.00
13	"ONLY" LEGEND	EA	4	\$75.00	5	\$375.00	2	\$150.00		\$0.00		\$0.00
14	"STOP" LEGEND	EA	4	\$75.00	6	\$450.00	0	\$0.00		\$0.00		\$0.00
15	"AHEAD" LEGEND	EA	4	\$95.00	4	\$380.00	0	\$0.00		\$0.00		\$0.00
16	"BIKE" LEGEND	EA	0	\$75.00	0	\$0.00	0	\$0.00		\$0.00		\$0.00
17	"PED" LEGEND	EA	2	\$75.00	0	\$0.00	2	\$150.00		\$0.00		\$0.00
18	"X-ING" LEGEND	EA	23	\$75.00	22	\$1,650.00	2	\$150.00		\$0.00		\$0.00
19	"R X R" CROSSBUCK LEGEND	EA	0	\$175.00	0	\$0.00	0	\$0.00		\$0.00		\$0.00
20	"SLOW"	EA	8	\$75.00	4	\$300.00	0	\$0.00		\$0.00	4	\$300.00
21	LARGE CURVE ARROW	EA	6	\$85.00	0	\$0.00	0	\$0.00		\$0.00	6	\$510.00
22	BIKE SYMBOL	EA	20	\$50.00	22	\$1,100.00	23	\$1,150.00		\$0.00	2	\$100.00
23	WRONG WAY ARROW	EA	2	\$75.00	0	\$0.00	2	\$150.00		\$0.00		\$0.00
24	LANE MERGE ARROW	EA	0	\$100.00	0	\$0.00	0	\$0.00		\$0.00		\$0.00
25	12"X18" YIELD TRIANGLES	EA	66	\$2.50	0	\$0.00	0	\$0.00		\$0.00	66	\$165.00
26	"+" INTERSECTION SYMBOL (12'X6")	EA	4	\$50.00	4	\$200.00	0	\$0.00		\$0.00		\$0.00
27	"XX MPH" LEGENG (8')	EA	0	\$75.00	0	\$0.00	0	\$0.00		\$0.00		\$0.00
28	PAVEMENT MARKING REMOVAL	SF	20,660	\$0.90	0	\$0.00	0	\$0.00	23,218.67	\$20,896.80		\$0.00
29	SCHOOL SLOW	EA	0	\$75.00	0	\$0.00	0	\$0.00		\$0.00		\$0.00
30	HC SYMBOLS	EA	5	\$27.50	0	\$0.00	4	\$110.00		\$0.00		\$0.00
	6" WHITE HATCHING (NIXON / SUNDAY DR.)	LF	0	\$0.50							498	\$249.00
	TOTAL AMOUNT					\$88,430.58		\$14,755.35		\$21,704.10		\$8,277.17

FTPW BID PRICE BUDGET

\$124,061.92 \$129,000.00

Job Name:	
Date:	8 3 2

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Road Name	White Gun #1	Yellow Gun #2	Yellow Gun #3	White Gun #4	10" White #5	5" White #6	10" White #
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MEADOWVIEW CT							
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la fara a d'			<b>6</b> ' Line	12" Line	24" Stop Bar	6"	24" (Q)Y	Grily-01	Stop 8'			Arrows		• )	٦
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#### INTERSECTION AND PAINT/THERMO

5" Line 6" Line 12" Line 24" Stop Bar 4" Line WY Only 8' Stop 8' Arrows **Intersection Name** W/Y W/Y W/Y W/Y LF/Ea. Xwalks Gores Legends Left Right Straight Combo Bluccose + Brisk 498 New 285 2 REMOVAL



#### TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801 Telephone: 814-238-4651 • Fax: 814-238-3454

www.twp.ferguson.pa.us

TO: Ferguson Township Board of Supervisors

FROM: Ronald A. Seybert, Jr., P.E.

Township Engineer (

DATE: August 30, 2021

SUBJECT: HARNER 4 LOT SUBDIVISION

**SURETY REDUCTION No. 5** 

As requested by Mark Torretti of Penn Terra Engineering, Inc., I have reviewed surety reduction request number 5 for the Harner 4 Lot Subdivision.

The requested reduction is for completion of the some erosion control and temporary seeding, a reduction in the amount the contingency to reflect the completion of the sanitary and water systems, and the 10% annual increase.

Based upon a review of the submitted checklist and a site evaluation, I recommend approval of the surety reduction as outlined below.

Current Surety Amount \$ 639,218.61

Amount of Reduction \$ 101,977.89

Revised Surety Amount \$537,240.72

cc: Harner 4 Lot Subdivision Surety File



#### TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801

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

www.twp.ferguson.pa.us

TO: Ferguson Township Board of Supervisors

FROM: Ronald A. Seybert, Jr., P.E.

Township Engineer (

DATE: August 30, 2021

SUBJECT: ORCHARD VIEW SUBDIVISION

**SURETY REDUCTION No. 2** 

As requested by Mark Torretti of Penn Terra Engineering, Inc., I have reviewed surety reduction request number 2 for the Orchard View Subdivision.

The requested reduction is for completion of the curb along Apple View Drive.

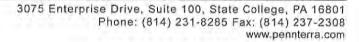
Based upon a review of the submitted checklist and a site evaluation, I recommend approval of the surety reduction as outlined below.

Current Surety Amount \$712,377.82

Amount of Reduction \$89,420.00

Revised Surety Amount \$622,957.82

cc: Orchard View Subdivision Surety File





August 24, 2021

Mr. Ron Seybert Township Engineer Ferguson Township 3147 Research Drive State College, Pennsylvania 16801

RE: Surety Reduction Request #1 for the Sheetz LDP

Dear Ron,

On behalf of my Clients, Aspen Whitehall Partners, LLC and Aspen Rt. 26 Partners, LLC, I am requested a reduction in the posted surety by \$110,488.65 from \$358,249.02 to \$247,760.37. The reduction is primarily for mobilization, traffic control stakeout, earthwork and installation stone subbase and base course paving for the Whitehall Road widening and improvements.

Enclosed are the following items which comprise the submission of the surety reduction request for the above-referenced parcels.

Surety Reduction #1 Checklist, (an excel file is also included)

If you have any questions, please don't hesitate to contact me.

Regards,

Mark Torretti

Enclosures

Cc: Aspen Whitehall Partners, LLC and Aspen Rt. 26 Partners, LLC

Surety File, 17125.06

# FOR FLAG LOT:

#### JESSICA GRACIE-GRIFFIN AND COREY GRIFFIN

Hearing Date: September 7, 2021

This document is a series of facts related to the conditional use application for Jessica Gracie-Griffin and Corey Griffin, presented on behalf of the Township's Planning & Zoning Department, and entered as

Exhibit #1 for this Conditional Use Hearing.

- 1. The subject of this hearing is Jessica Gracie-Griffin and Corey Griffin (the Griffin's), located at 1350 Greenwood Circle (24-001C-,154-,0000-), approximately 1.25 acres (54,450 square feet).
- 2. The subject property is located within the Single Family Residential (R1) Zoning District.
- 3. On July 21, 2021, the Griffin's submitted a Conditional Use Application for a proposed flag lot to be created by a subdivision at 1350 Greenwood Circle.
- 4. A conditional use is a land use that is permitted in a specified zoning district, and one that is subject to additional zoning requirements that applicants must meet as part of the conditional use process. Approval of a conditional use permit does not equate to zoning permit approval and it is a necessary step in the process for subdividing a flag lot.
- 5. The conditional use provisions require the Board of Supervisors to hold a public hearing on the application within 60 days of receiving the application and decide if the request is in accordance with the express standards and criteria provided in §27-732 of the Township's Zoning Ordinance.
- 6. The Board of Supervisors has 45 days following the hearing to render a decision.
- 7. Reasonable conditions and safeguards, other than those related to off-site transportation improvements, in addition to those expressed in the zoning ordinance, can be attached to the conditional use permit as the Board may deem necessary for the health, safety, and welfare of the municipality. The conditions must be reasonably related to a valid public interest established in the record of the application.
- 8. **Exhibit #2** is an aerial view of the property using Ferguson Township's GIS Software with the subject property highlighted in red.
- 9. **Exhibit #3** is §27-732 of the Township's Zoning Ordinance. This section provides the criteria applicants must meet in order to obtain conditional use approval.
- 10. **Exhibit #4** is the application and supporting documents submitted by the Griffin's for the conditional use permit.
- 11. In addition to staff review, conditional use applicants are required to present proposals to the Township's Planning Commission.
- 12. Township Staff have reviewed the conditional use proposal for compliance with §27-732. The following is a review of how the project meets, does not meet, or is working towards meeting the conditional use criteria.

#### §27-732. FLAG LOTS AS A CONDITIONAL USE

In addition to the district regulations specified, in the RA, RR, R1, R2, and R3 Districts, lot
requirements and yard setback requirements different from those set forth in the appropriate
subsection shall be allowed as a conditional use by the Board of Supervisors after receiving
recommendations from the Planning Commission if the following standards and criteria are
met:

- A. A lot which is possibly subject to further subdivision under the ordinances or resolutions of the Township of Ferguson as they then currently exist need not meet the minimum lot width requirements at the street line as set forth in this chapter, so long as the lot shall be a minimum of 60 feet wide at the street line and shall be no less that 60 feet wide at all points from the street line to the point at which the lot meets the minimum width requirements. **Not applicable.**
- B. A lot which is not possibly subject to further subdivision under the ordinances or resolutions of the Township of Ferguson as they currently exist need not meet the minimum lot width requirements at the street line as set forth in this chapter, so long as the lot shall be a minimum of 15 feet wide at the street line and shall be no less than 15 feet wide at all points from the street line to the point at which the lot meets the minimum width requirements. **Meets criterion.**
- C. In determining the minimum size of a lot and maximum coverage of a lot, only that portion of the lot described pursuant to §27-732, Subsection 1E, below, shall be considered in making such calculations. In determining maximum impervious coverage of a lot, the lot area shall be considered in making such calculations. **Meets criterion.**
- D. In determining the location of front yard setback requirements, the front yard setback shall be calculated in reference to the lot described pursuant to §27-732, Subsection 1E, below. **Meets criterion.**
- E. Pot Handle.
  - If there is a discernable pot handle (the extension of the side lines of the lot intersect within the lot or on a line of the lot), only that portion of the lot within the intersecting lines shall be considered for purposes of §27-732, Subsection 1A though D. Meets criterion.
  - ii. If there is not a discernable pot handle, only that portion of the lot which is to the rear of the line parallel to the front line (or parallel to the tangent at the midpoint of a curved front line) where the lot first reaches the lot minimum width requirements as set forth in the lot requirements of this chapter shall be considered for §27-732, Subsection 1A through D. **Does not apply.**
- F. In granting a conditional use for a flag lot, the Board of Supervisors shall take into consideration whether some or all of the following goals will be reached:
  - Creation of the flag lot will eliminate access from the lot to an arterial or collector street. Creation of the flag lot will not eliminate access from Greenwood Circle.
  - ii. Creation of the flag lot will make better use of an irregularly shaped property.

    This flag lot will make better use of this property once subdivided.
  - iii. Creation of the flag lot is consistent with a design and layout creating the minimum number of flag lots in the subdivision, taking in account §27-732, Subsection 1.F(1) and (2). **Meets criterion.**
  - iv. Creation of the flag lot will reduce the loss of tillable acreage associated with a farm parcel that has no additional subdivision potential. **Not applicable.**
- 13. Staff's conclusion is that the proposal meets the conditional use criterion provided in §27-732. Therefore, approval of the conditional use permit is recommended.

14. The Ferguson Township Planning Commission reviewed the recommended conditions at the August 23, 2021, Regular Meeting and recommended approval to the Board of Supervisors.



## § 27-732 Flag Lots.

[Ord. No. 1049, 11/18/2019]

- 1. In addition to the district regulations specified, in the RA, RR, R1, R2, and R3 Districts, lot requirements and yard setback requirements different from those set forth in the appropriate subsection shall be allowed as a conditional use by the Board of Supervisors after receiving recommendations from the Planning Commission if the following standards and criteria are met:
  - **A.** A lot which is possibly subject to further subdivision under the ordinances or resolutions of the Township of Ferguson as they then currently exist need not meet the minimum lot width requirements at the street line as set forth in this chapter, so long as the lot shall be a minimum of 60 feet wide at the street line and shall be no less than 60 feet wide at all points from the street line to the point at which the lot meets the minimum width requirements.
  - **B.** A lot which is not possibly subject to further subdivision under the ordinances or resolutions of the Township of Ferguson as they then currently exist need not meet the minimum lot width requirements at the street line as set forth in this chapter, so long as the lot shall be a minimum of 15 feet wide at the street line and shall be no less than 15 feet wide at all points from the street line to the point at which the lot meets the minimum width requirements.
  - **C.** In determining the minimum size of a lot and maximum coverage of a lot, only that portion of the lot described pursuant to § **27-732**, Subsection 1E, below, shall be considered in making such calculations. In determining maximum impervious coverage of a lot, the total lot area shall be considered in making such calculations.
  - **D.** In determining the location of front yard setback requirements, the front yard setback shall be calculated in reference to the lot described pursuant to § 27-732, Subsection 1E, below.
  - E. Pot Handle.
    - (1) If there is a discernible pot handle (the extension of the side lines of the lot intersect within the lot or on a line of the lot), only that portion of the lot within the intersecting lines shall be considered for purposes of § 27-732, Subsection 1A through D.
    - (2) If there is not a discernible pot handle, only that portion of the lot which is to the rear of the line parallel to the front line (or parallel to the tangent at the midpoint of a curved front line) where the lot first reaches the lot minimum width requirements as set forth in the lot requirements of this chapter shall be considered for § 27-732, Subsection 1A through D.
  - **F.** In granting a conditional use for a flag lot, the Board of Supervisors shall take into consideration whether some or all of the following goals will be reached:
    - (1) Creation of the flag lot will eliminate access from the lot to an arterial or collector street.
    - (2) Creation of the flag lot will make better use of an irregularly shaped property.
    - (3) Creation of the flag lot is consistent with a design and layout creating the minimum number of flag lots in the subdivision, taking into account § 27-732, Subsection 1F(1) and (2).
    - (4) Creation of the flag lot will reduce the loss of tillable acreage associated with a farm parcel that has no additional subdivision potential.
  - G. In granting a conditional use, the Board of Supervisors shall attach such conditions as are necessary to meet the intent of this section.
  - **H.** To administer a conditional use, the Zoning Administrator shall report to the Planning Commission and the Board of Supervisors on the proposal for which the application is made, shall supply the Planning Commission and the Board of Supervisors with a copy of the application and subdivision plan and shall make a recommendation on the proposed conditional use.

I. Within 90 days from the date such application was filed and all fees paid, the Planning Commission shall make a recommendation and the Board of Supervisors shall render its decision.

https://ecode360.com/36116232 2/2



#### TOWNSHIP OF FERGUSON

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

# CONDITIONAL USE APPLICATION REQUEST FOR FERGUSON TOWNSHIP

Submittal Date:  $\frac{7}{21/21}$ Application Fee: Please refer to the Township's Fee Schedule for the correct amount. **Applicant Information** Jessica Gracie-Griffin and Corey Griffin 1350 Greenwood Circle State College PA 16803 Street Address State Zip 802-734-8204 Phone Number **Property Information** 24-001C,154-,0000-1.25 Acres +/-R-1: Single Family Residential Tax Parcel Number Zoning District Lot Size 1350 Greenwood Circle State College 16803 Property Location (Address) Zip Is this a changed use? No What do you propose to do on the lot? (please include details) Create another building lot in the rear of the existing parcel. The existing lot was originally platted as two parcels, and the existing house was built across the lot lines. The conditional use would be to create a flag lot for the proposed parcel 154A (See attached sketch plan and supporting documentation)

# of Buildings: 2 (House to remain, and shed to be removed)

Are there existing buildings on the lot? If so, how many?

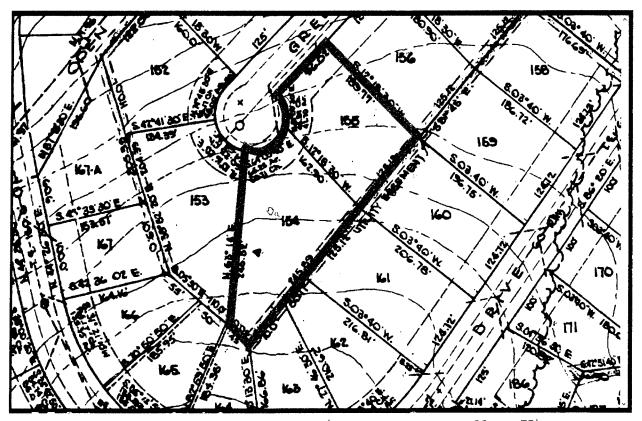
What size(s) are the existing buildings (square feet)?
If proposing a building, please state the size (square feet).
If proposing a parking lot, please state the size, how many cars can be parked in the parking lot (including handicap accessible), and how many employees you hope to employ.
Please explain how the proposed project will not subsequently alter or change the character of the neighborhood.
Additional Comments (attach additional sheets if necessary)  Please see original application for 1350 Greenwood Circle submitted on 7/21/21 for all
information other than waiver below.
·
I hereby certify that all of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.    The state of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.    The state of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.    The state of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.    The state of the state of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.    The state of t
WAIVER OF STENOGRAPHER RECORD
I agree to waive the requirements of Section 908 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: $7/23/21$

What size(s) are the existing buildings (square feet)? House: 3855 sf; Shed: 224 sf
If proposing a building, please state the size (square feet).  Proposed house: 2,100 sf (1,050 sf footprint; two stories)
If proposing a parking lot, please state the size, how many cars can be parked in the parking lot (including handicap accessible), and how many employees you hope to employ.  N/A
Please explain how the proposed project will not subsequently alter or change the character of the neighborhood.  See attached narrative
Additional Comments (attach additional sheets if necessary)  See attached narrative
I hereby certify that all of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.  7/21/21
Owner/Applicant Name David Archibald 814-933-9862 Date SAS Geospatia darchibald & sas geospatial.com
-For Office Use Only-
Date Received: By:
Date Paid: Check No.: Amount:
Advertisement Dates: Planning Commission Review Date:
Board of Supervisors Meeting Date:

#### Intent

The purpose of creating this flag lot is to build a moderately-sized (Approximately 2,100 square feet), single-family home with a focus on energy and water savings, healthy materials, and good indoor air quality. Additionally, we are considering seeking third-party certification via <u>LEED for Homes</u> or <u>Passive House</u>.

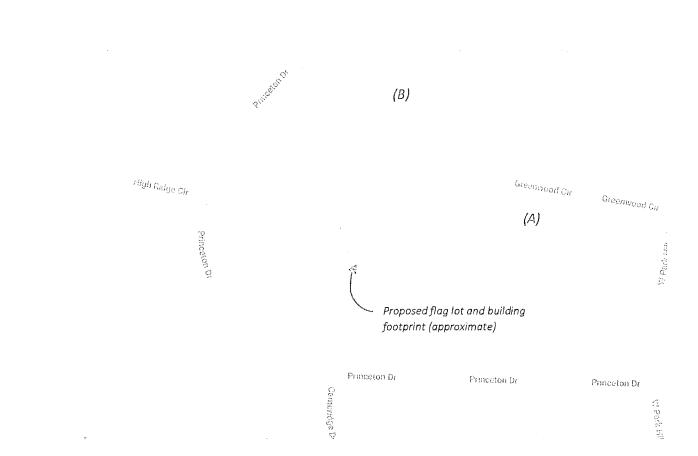
When the neighborhood was planned, in the late 1960's, the current property consisted of two lots, #154 and #155. There is currently one single-family residence located on these two properties.



ABOVE: AN EXCERPT FROM THE PARK HILLS WEST SUBDIVISION (CENTRE COUNTY PLAT BOOK 32 PAGE 75)

#### Goals and Neighborhood Character

The creation of the flag lot condition will allow us to meet the goal of making better use of an
irregularly shaped property and an additional house on our cul-de-sac will still be in line with
the current density levels in our neighborhood.



- The character of the cul-de-sac and neighborhood will be maintained. Specifically,
  - Generous front setbacks:



ABOVE: CURRENT HOUSE AT SITE (A)

#### o A forested feeling:



ABOVE: CURRENT HOUSE AT SITE (B)

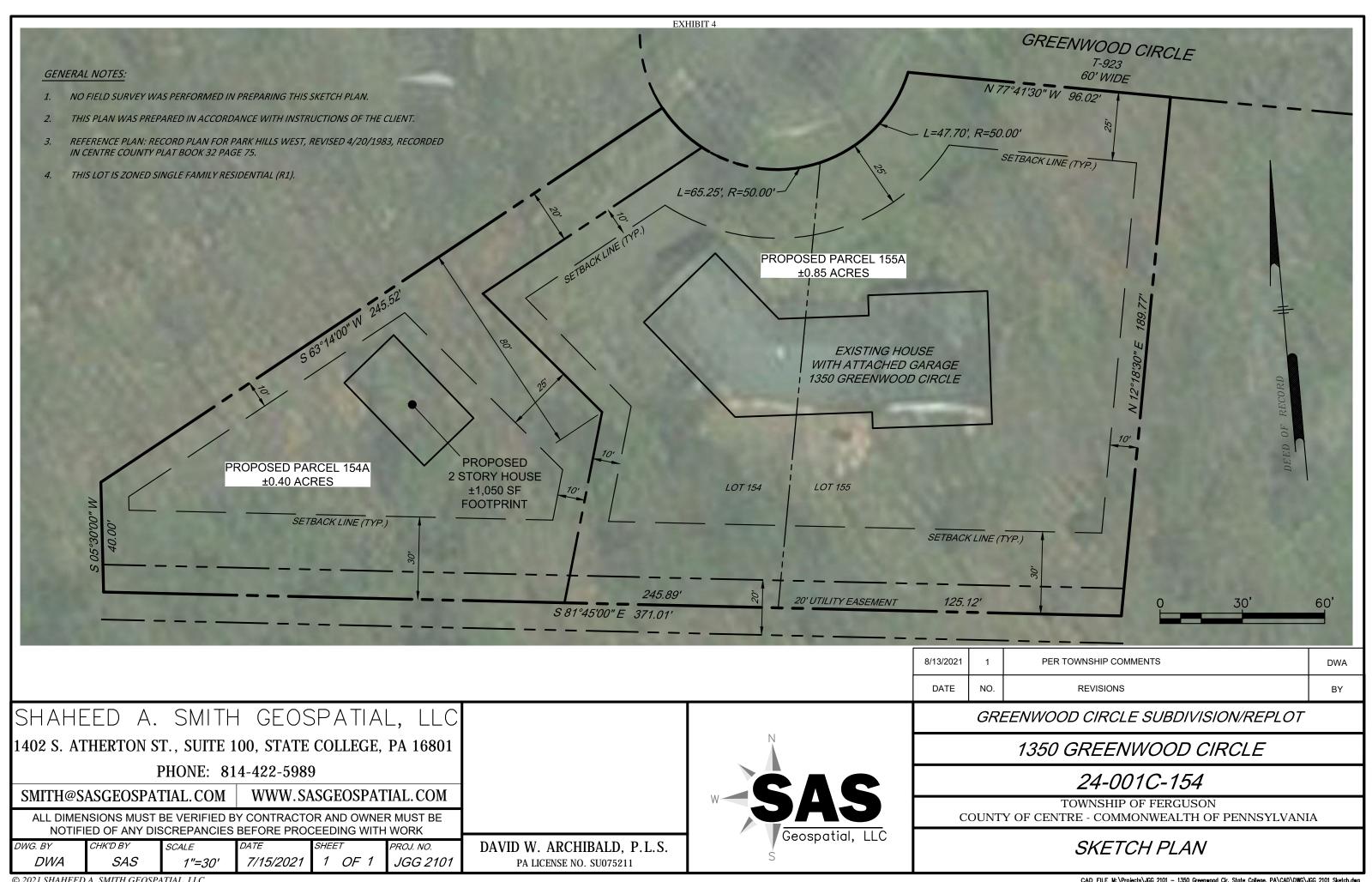
As there is an existing shed on the same location, constructing a house would not appreciably change the forested character or feeling of low density between houses and a development goal is to maintain as many of the existing trees as feasible:



ABOVE: VIEW FROM CUL-DE-SAC TO THE PROPOSED BUILDING, SHOWN IN WINTER FOR CLEARER VIEWS INTO TREES;

BELOW: AERIAL VIEW SHOWING EXISTING SHED AND RELATIVE DENSITY OF SURROUNDING NEIGHBORS, WITH APPROXIMATE LOCATION OF PROPOSED LOT LINES





Ferguson Township 3147 Research Drive State College, PA 16801 814-238-4651 814-238-3454 (fax) www.twp.ferguson.pa.us

000000

Receipt No. 00018843

07/21/2021 11:44 AM

Griffin

01 Conditional U se Permit @ 1350 Greenwood Circl

e 500.00

Check # 202

Receipt Total 500.00 Payment Total 500.00

Thank you!

RESC	<b>DLUTIO</b>	N NO.	

# A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA ADOPTING AN UPDATE TO THE CENTRE REGION ACT 537 SEWAGE FACILITIES PLAN.

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act," as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted there under, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards from sewage waste, as well as to revise said plan whenever it is necessary to meet the sewage disposal needs of the Township; and

**WHEREAS,** Herbert, Rowland & Grubic, Inc., has prepared a Component 3M Minor Act 537 Plan Update Sewage Facilities Planning Module which identifies the extension of the existing low pressure sanitary sewer main in a portion of Ferguson Township, and

**WHEREAS,** the Module specifically identifies the extension of the exiting low pressure sanitary sewer main line along Whitehall Road. The extended sanitary sewer infrastructure will provide service to two existing residential customers in Ferguson Township.

**WHEREAS,** Ferguson Township finds that the Sewage Facilities Plan described above conforms to applicable zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

**NOW THEREFORE, BE IT RESOLVED**, that the Broad of Supervisors of Ferguson Township hereby adopts and submits to the Pennsylvania Department of Environmental Protection for its approval, a revision to the Centre Region Act 537 Sewage Facilities Plan. The municipality hereby assures the Department of the complete and timely implementation of the said plan as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended.)

**ADOPTED**, this 7<sup>th</sup> day of September 2021.

# TOWNSHIP OF FERGUSON BOARD OF SUPERVISORS

	By:
[SEAL]	
ATTEST:	
By: David Pribulka, Secretary	_



SEWAGE FACILITIES PLANNING MODULE FOR MINOR ACT 537 UPDATE REVISION (COMPONENT 3M): WHITEHALL ROAD

FERGUSON TOWNSHIP 3147 Research Drive State College, PA 16801

Submitted to:

PA DEP

Northcentral Regional Office Point and Non-Point Source Management 208 West Third Street, Suite 101 Williamsport, PA 17701-6448

001178.0692

# Submitted by:

HERBERT, ROWLAND & GRUBIC, INC. 2568 Park Center Boulevard

State College, PA 16801 814.238.7117



Date:

June 21, 2021

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

Code No.	

# SEWAGE FACILITIES PLANNING MODULE FOR MINOR ACT 537 UPDATE REVISION

# Component 3m. Municipal or Authority Sponsored Minor Sewage Collection Project (Return completed module package to appropriate municipality)

DEP USE ONLY				
DEP CODE #	CLIENT ID#	SITE ID#	APS ID #	AUTH ID#

This document provides a simplified planning format for municipalities and municipal authorities proposing the construction of a sewer extension primarily serving existing development. Typically, this format would be used for projects involving the extension of sewer service to no more than 100 equivalent dwelling units (EDUs) and where the majority of the project serves existing development. For projects where more than 50 percent of the proposed customers will result from new land development, a Component 3 Sewage Facilities Planning Module would typically be used. For larger projects or if the project would involve the construction or modification of a wastewater treatment facility, then a general Act 537 Update Revision, meeting all of the requirements of Title 25 Pennsylvania Code, Chapter 71 § 71.21, is appropriate.

DEP staff will make a final determination as to the appropriate type of planning for a given project based on the review of a plan of study. Eligibility for a grant to offset the cost of planning will be determined by DEP staff based upon review of a *Task/Activity Report* (3800-FM-BPNPSM0005). The project sponsor submits both documents. **DO NOT** use this form without coordinating with your local DEP staff. Refer to the instructions.

This planning document, along with any other documents specified in the cover letter, must be completed and submitted to the municipality with jurisdiction over the project site for review and approval. All required documentation must be attached for the Sewage Facilities Planning Module to be complete. Refer to the instructions for help in completing this component.

# A. PROJECT INFORMATION (See Section A of instructions)

1. Project Name

Whitehall Road Low Pressure Sanitary Sewer Extension

2. Brief Project Description

Low pressure sewer to connect two properties to existing municipal sewer system.

B. CLIENT (MUNICIPALITY) INFO	DRMATION (Se	e Section	on B	of instruction	ons)		
Municipality Name	County			City		Boro	Twp
Ferguson	Centre						$\boxtimes$
Municipality Contact - Last Name	First Name	I	MI	Suffix	Title		
Pribulka	David				Township	o Managei	r
Additional Individual - Last Name	First Name		MI	Suffix	Title		
Modricker	David			P.E.	Director	of Public V	Vorks
Municipality Mailing Address Line 1		Mailing	g Add	dress Line	2		
3147 Research Drive							
Address Last Line - City				State	ZIP+4		
State College				PA	16801		
Phone + Ext.	FAX (optional)			Er	nail (option	ıal)	
(814) 238-4651	(814) 954-7642						

roilli						
	<b>TION</b> (See Section C of ir	nstructions)				
Site Name						
	ssure Sanitary Sewer Exter					
Site Location Line 1		Site Location Line 2				
Whitehall Road						
Site Location Last Line -	•	ZIP+4	Latitude	Longitude		
State College	PA	16801	40.763964	-77.870713		
	r Valley Vista Dr. toward P	Park Forest. Continue onto Vall	ey Vista Dr. Continue	onto Science Park		
Rd. Turn right onto PA-26	6S. Turn left onto W. White	enali Ro.				
Description of Site						
		serve two properties along Wi				
Site Contact - Last Name	_			xt.		
Brown	Jason		314-238-5361			
Site Contact Title		Site Contact Firm (if				
Assistant Executive Direct	ctor	University Area Join	nt Authority (UAJA)			
FAX		Email				
Mailing Address Line 4		jbrown@uaja.org	- 0			
Mailing Address Line 1		Mailing Address Lin	e 2			
1576 Spring Valley Road		State	710 . 4			
Mailing Address Last Line State College	e – City	State PA	16801	ZIP+4		
State College		FA	10001			
D. DDO IECT COM	CHILTANT INCODMA					
D. PROJECT CONS	First Name	TION (See Section D of instru MI	Suffix			
		R	P.E.			
Burns	Benjamin		F.C.			
Title		onsulting Firm Name				
Project Manager	He	erbert, Rowland & Grubic, Inc.				
Mailing Address Line 1		Mailing Address Lin	ne 2			
2568 Park Center Boulev	ard ard					
Address Last Line - City	State	ZIP+4	Country			
State College	PA	16801	USA			
Email	Phone	Ext.	FAX			
bburns@hrg-inc.com	(814) 238-7117					
		R SUPPLY (See Section E	<u> </u>			
The project will be p	rovided with drinking wate	r from the following source: (C	check appropriate box	)		
☐ Individual wells of	or cisterns.					
A proposed public water supply.						
	ic water supply.					
o.	ter supply is to be used, prostating that it will serve the	ovide the name of the water co project.	ompany and attach do	cumentation from		
Name of water com	pany: State College Borou	gh Water Authority (service to	homes is existing)			

# F. PROJECT NARRATIVE (See Section F of instructions)

oxtimes A narrative has been prepared as described in Section E of the instructions and is attached.

The applicant may choose to include additional information beyond that required by Section E of the instructions.

#### G. SEWAGE DISPOSAL NEEDS IDENTIFICATION (See Section G of instructions)

Conduct sanitary and water supply surveys per DEP's publication entitled *Sewage Disposal Needs Identification*. This is highly recommended for all projects. It is required if PENNVEST funding is to be sought for the project, or if required by DEP as indicated by the checked box opposite this item.

# H. EXISTING WASTEWATER FACILITIES (See Section H of instructions)

#### 1. COLLECTION SYSTEM

Provide requested information concerning the existing treatment facility.

a. Name of existing collection system <u>University Area Joint Authority (UAJA)</u>

Clean Streams Law Permit Number 1489411

b. Name of interceptor Stonebridge

Clean Streams Law Permit Number 1489411

#### 2. WASTEWATER TREATMENT FACILITY

Provide requested information concerning the existing treatment facility.

Name of existing facility University Area Joint Authority

NPDES Permit Number for existing facility PA0026239

### I. PROPOSED WASTEWATER FACILITIES (See Section I of instructions)

1. Provide an estimate of the immediate and five year projected flow from the proposed sewer extension. Address the capacity for this flow in the existing conveyance and treatment facilities in terms of the most recent wasteload management annual report for these facilities.

#### PLOT PLAN

The following information is to be submitted on a plot plan or map of the proposed project that clearly reflects the relationship between the proposed facilities and the identified features.

- a. Existing and proposed buildings.
- b. Lot lines and lot sizes.
- c. Adjacent lots.
- d. Existing and proposed sewerage facilities.
- Show tap-in or sewer extension to the point of connection to existing collection system.
- f. Existing and proposed water supplies and surface water (wells, springs, ponds, streams, etc.)
- g. Existing and proposed rights-of-way.

- h. Existing and proposed streets, roadways, access roads, etc.
- i. Any designated recreational or open space area
- Wetlands from National Wetland Inventory Mapping and USGS Hydric Soils Mapping.
- k. Flood plains or Floodprone area soils, floodways, watercourses, water bodies (from Federal Flood Insurance Mapping)
- Prime Agricultural Land.
- m. Any other facilities (pipelines, power lines, etc.)
- n. Orientation to north.

# I. PROPOSED WASTEWATER FACILITIES (continued)

3.	WE	ILAN	D PK	OTECTION
		YES	NO	
	a.		$\boxtimes$	Are there wetlands in the project area? If yes, indicate these areas on the plot plan as shown in the mapping or through on-site delineation.
	b.			Are there any construction activities (encroachments, or obstructions) proposed in, along, or through the wetlands? If yes, Identify any proposed encroachments on wetlands and identify whether a General Permit or a full encroachment permit will be required. If a full permit is required, address time and cost impacts on the project. Note that wetland encroachments should be avoided where feasible. Also note that a feasible alternative <b>MUST BE SELECTED</b> to an identified encroachment on an exceptional value wetland as defined in Chapter 105. Identify any project impacts on HQ or EV streams and address impacts of the permitting requirements of said encroachments on the project.
4.	PRI	MAR	Y AGI	RICULTURAL LAND PROTECTION
	a.			Will your project involve the disturbance of any prime agricultural lands? If "yes" indicate any alternatives to this disturbance that were considered and the reasons they were not deemed feasible. Identify any primary or secondary impacts of the project on the Commonwealth's prime agricultural lands. Evaluate alternatives to avoid or mitigate undesirable impacts. The selected sewage facilities plan must be consistent with local measures in place to protect prime agricultural lands.
5.	STO	ORMV	VATE	R MANAGEMENT IMPACTS:
	a.	$\boxtimes$		Will the project impact an area covered by a DEP approved County Stormwater Management Plan? If yes show that the proposed facilities are consistent with that plan.
6.	PE	NSY	LVAN	IIA NATURAL DIVERSITY INDEX (PNDI) CONSISTENCY:
	Che	ck on	e:	
		from	my s	nsylvania Natural Diversity Inventory (PNDI) Project Environmental Review Receipt" resulting tearch of the PNDI database and all supporting documentation from jurisdictional agencies (when y) is/are attached.
		Forn docu reali the l Proje	n," (I ument ze tha DEP i ect Er	ted "Pennsylvania Natural Diversity Inventory (PNDI) Project Planning & Environmental Review PNDI Form) available at <a href="www.naturalheritage.state.pa.us">www.naturalheritage.state.pa.us</a> , and all required supporting ation is attached. I request DEP staff to complete the required PNDI search for my project. If at my planning module will be considered incomplete upon submission to the Department and that review will not begin, and that processing of my planning module will be delayed, until a "PNDI provironmental Review Receipt" and all supporting documentation from jurisdiction agencies (when by is/are received by DEP.
				Applicant or Consultant Initials BRB
7.	СО	MPRE	HEN	SIVE PLAN CONSISTENCY:
	$\boxtimes$			re and mapping to show that the proposed project is consistent with any comprehensive plan If under the Pennsylvania Municipalities Planning Code (Act 247) is attached. Document that the

#### proposed project is consistent with land use and all other requirements stated in the comprehensive plan.

COOPERATION WITH PA. HISTORICAL AND MUSEUM COMMISSION (PHMC):

A copy of DEP's "Cultural Resource Notice" and map which were sent to the Commission and a copy of the Commission's response are attached. Note that the Commission may require archeological surveys if federal funds, including PENNVEST, will be used in the project. If PENNVEST funds are to be used, DEP cannot recommend the project to PENNVEST for consideration until any required surveys have been done and the project has been "cleared" by the Commission.

	REQUIREMENTS FOR PENNVEST PRO	

- A copy of the additional information is attached. If PENNVEST funding is to be sought for the project, address these additional items in terms of any project impacts and measures to avoid or mitigate same.
  - Cost Effectiveness
  - · Air quality
  - Floodplains
  - · Wild and scenic rivers
  - Coastal zone management
  - Socio-economic impacts
  - Water supplies
  - Other environmentally sensitive areas

### J. ALTERNATIVE SEWAGE FACILITIES ANALYSIS (See Section J of instructions)

An alternative sewage facilities analysis has been prepared as described in Section J of the instructions and is attached.

The applicant may choose to include additional information beyond that required by Section J of the instructions.

# K. CHAPTER 94 CONSISTENCY DETERMINATION (See Section K of instructions)

Projects that propose the use of existing municipal collection, conveyance or wastewater treatment facilities, or
the construction of collection and conveyance facilities to be served by existing municipal wastewater treatment
facilities must be consistent with the requirements of Chapter 94 of DEP's rules and regulations (relating to
Municipal Wasteload Management). If more than one municipality or authority will be affected by the project,
please obtain the information required in this section for each. Additional sheets may be attached for this
purpose.

- 1. Project Flows 350 gpd
- 2. Total Sewage Flows to Facilities
  - a. Enter average and peak sewage flows for each proposed or existing facility as designed or permitted.
  - b. Enter the present average and peak sewage flows for the critical sections of existing facilities.
  - c. Enter the average and peak sewage flows projected for 5 years through the critical sections of existing facilities which includes existing, proposed, or future projects.

To complete the table, refer to Section K of instructions.

	a. Design and/or Permitted Capacity (gpd)		b. Present Flows (gpd)		c. Projected Flows in 5 years (gpd)	
	Average	Peak	Average	Peak	Average	Peak
Collection	1400	3920	350	980	350	980
Conveyance	173000	690000	32350	91980	85350	225980
Treatment	9000000	10560000	4940000	5330000	5526400	6290000

#### Collection and Conveyance Facilities

The questions below are to be answered by the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities. These questions should be answered in coordination with the latest Chapter 94 annual report and the above table.

This project proposes sewer extensions or tap-ins. Will these actions create a hydraulic overload within five years on any existing collection or conveyance facilities that are part of the system?

a. If yes, this sewage facilities planning module will not be accepted for review by the municipality, delegated local agency and/or DEP until all inconsistencies with Chapter 94 are resolved or unless there is an approved plan and schedule granting an allocation for this project. A letter granting allocations to this project under the plan and schedule must be attached to the module package.

# 3800-FM-BPNPSM0353m 1/2013 Form

K.

L.

		Chapter 94 requirements and that this proposal will not affect this status.
	C.	Collection System
		Name of Agency, Authority, Municipality <u>University Area Joint Authority</u>
		Name of Responsible Agent <u>Jason Brown</u>
		Agent Signature
		Date
	d.	Conveyance System
		Name of Agency, Authority, Municipality <u>University Area Joint Authority</u>
		Name of Responsible Agent <u>Jason Brown</u>
		Agent Signature
		Date
CH	IAPT	ER 94 CONSISTENCY DETERMINATION (continued)
4.	Trea	atment Facility
		questions below are to be answered by the facility permittee in coordination with the information in the table the latest Chapter 94 report.
		s project proposes the use of an existing wastewater treatment plant for the disposal of sewage. Will this on create a hydraulic or organic overload within 5 years at that facility?   Yes  No
	a.	If yes, this planning module for sewage facilities will not be reviewed by the municipality, delegated local agency and/or DEP until this inconsistency with Chapter 94 is resolved or unless there is an approved plan and schedule granting an allocation for this project. A letter granting allocations to this project under the plan and schedule must be attached to the planning module.
	b.	If no, the treatment facility permittee must sign below to indicate that this facility has adequate treatment capacity and is able to provide wastewater treatment services for the proposed development in accordance with Chapter 94 requirements and that this proposal will not impact this status
	C.	Name of Agency, Authority, Municipality <u>University Area Joint Authority</u>
		Name of Responsible Agent <u>Jason Brown</u>
		Agent Signature
		Date
INS	TITU	TIONAL EVALUATION (See Section L of instructions)

If no, the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities must sign below to indicate that the collection and conveyance facilities

An institutional evaluation is attached. Identify the entity which will design, obtain necessary permits, construct, own and operate the proposed facilities. If a low pressure vacuum or effluent sewer are proposed, discuss purchase, installation, operation and maintenance responsibilities for the individual pumping, valves, tanks, etc.

M.	PROJECT COST AND FUNDING ANALYSIS	(See Section M of instructions)
----	-----------------------------------	---------------------------------

A detailed cost estimate and present worth analysis for the project is attached. Provide a financing plan for the project, identifying the funding source(s) and identifying estimated tap fees and user rates. For projects proposing the use of PENNVEST funds, see Section I. 9. **ADDITIONAL REQUIREMENTS FOR PENNVEST PROJECTS**. Complete the following table:

Cost and Funding Information (Estimated)			
COST			
Construction cost	\$	122300	
Administrative, legal, engineering cost	\$	24460	
Total project cost	\$	146760	
Annual O/M cost	\$	832	
FUNDING			
Tap-in fees (\$ per EDU X no. EDUs)	\$	10880	
Proceeds from primary funding source	\$	135880	
Proceeds from other funding sources	\$	0	
USER COSTS			
Initial user base	2	EDUs	
Monthly debt service per EDU	\$	0	
Monthly O/M cost per EDU	\$	104	
Total estimated monthly user cost per EDU	\$	104	

# N. PROJECT IMPLEMENTATION SCHEDULE (See Section N of instructions)

A project implementation schedule showing milestone dates for submission of DEP permit applications, initiation and completion of construction and any other milestones significant to this particular project is attached to this component

#### O. PUBLIC NOTIFICATION REQUIREMENT (See Section O of instructions)

 (con continuity)
Attached is a copy of the public notice. All comments received as a result of the notice are attached.
Municipal response to these comments is attached.
No comments were received. A copy of the public notice is attached.

	P.	ADDITIONAL CHAPTER 71 PLANNING ELEMENTS (See Section P of instructions)
	a.	Additional planning elements are required by DEP.
		•
		•
		•
		•
		•
Q.	PL	ANNING AGENCY REVIEW (See Section Q of instructions)
		Local Planning Commission comments or Component 4a are attached.
		County, Area, Or Region Planning Commission comments or Component 4b are attached.
		County or Joint County Health Department comments (if appropriate) or Component 4c are attached.
R.	RE	SOLUTION OF ADOPTION (See Section R of instructions)
		An <u>original</u> , <u>signed</u> , and <u>sealed</u> Resolution of Adoption is attached.





SHEET: OF: DATE: 1 6/11/2021



2568 Park Center Boulevard State College, PA 16801 814.238.7117 www.hrg-inc.com

DESIGN VBS	
DRAWN VBS	
SCALE Not to Scale	

PROJECT 001178.0692

# Section F. Project Narrative

The University Area Joint Authority (UAJA) owns, operates, and maintains a wastewater collection, conveyance, and treatment system in Centre County, PA. The UAJA is proposing an approximately 1,250 linear feet (L.F.) extension of 1.5-inch and 2-inch low pressure sanitary sewer main to serve two existing residential properties along Whitehall Road in Ferguson Township, located adjacent to the Stonebridge Development. The proposed project will also involve the construction of two low pressure laterals, two grinder pump stations along with associated cleanouts, and various other related appurtenances.

The project will result in two equivalent dwelling units (EDUs) being connected to UAJA's system. For planning purposes, hydraulic loading from the proposed connections is estimated to be approximately 175 gallons per day (gpd) per EDU, which results in a combined average flow of 350 gpd from the project. Peak hydraulic loading from the properties were estimated using a peaking factor of 2.8. The proposed low-pressure sanitary sewer extension will discharge into an existing gravity system near the entrance to the Stonebridge Development, off Whitehall Road (S.R. 3024). Due to the residential nature and limited number of properties that are to be connected to the UAJA's system, hydraulic loading from the project is not expected to increase in the next five years.

# Section G. Sewage Disposal Needs Identification

The two properties on Whitehall Road that are proposed to be connected to the UAJA system are currently served by on-lot disposal systems. However, the properties are located within the Regional Growth Boundary (RGB)/ Sewer Service Area (SSA) described in Centre County's Comprehensive Plan Sewage Facilities Management Section (Appendix A), which indicates it is appropriate to extend the UAJA system to connect them. A review of UAJA's 2020 Chapter 94 Report (Appendix B) indicates that UAJA's collection, conveyance, and treatment systems have sufficient capacity for the proposed connections. Proposed wastewater facilities are shown in the Plot Plan included as Appendix C.

# Section I. Proposed Wastewater Facilities

1. The proposed extension will result in the connection of two existing residential dwelling units, corresponding to the following flow projections:

Average Daily Flow: 350 gpd (175 gpd/EDU – UAJA Planning x 2 EDUS)

Peak Daily Flows: 980 gpd (350 gpd x 2.8 peaking factor)

The existing downstream collection, conveyance and treatment facilities have adequate capacity to accept and teat this additional flow.

There are an additional six residential EDUs on the south side of Whitehall Road (SR 3024), which are currently served by on-lot disposal systems. However, these properties are located outside of the sewer service area. Therefore, the proposed facilities (i.e. low-pressure sewer main) have been adequately sized for these additional connections. Although, there are currently no plans to connect them to the system. It would constitute poor judgement to not account for them in the ultimate design of the low-pressure system.

- 2. Plot Plan refer to the attached drawing package.
- 3. Refer to the attached NWI search. Based on the NWI search, there are no wetlands in the project area.
- 4. Primary Agricultural Land Protection There are no perceived impacts to prime agricultural lands.
- 5. Stormwater Management Impacts Stormwater best management practices (BMPs) will be used during earth disturbance activities in a manner that is consistent with Centre County's Stormwater Management Plan for the Spring Creek Watershed. Areas disturbed during construction activities will be restored to existing surface conditions, which means there should not be any long-term changes to stormwater management needs as a result of the project.
- 6. PNDI refer to the attached PNDI receipt. The search results indicate no known impacts.
- 7. Comprehensive Plan Consistency Refer to the attached future land use file.
- 8. Refer to the attached PHMC receipt. The search results indicate no known impacts.

**FOR** 

# UNIVERSITY AREA JOINT AUTHORITY

FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA

**APRIL 2021** 

GENERAL CONSTRUCTION



SCALE: N.T.S.
IMAGE SOURCE: PENNSYLVANIA SPATIAL DATA ACCESS
IMAGE DATE: NOV. 08, 2019



2568 Park Center Boulevard State College, PA 16801 (814) 238-7117

Email - hrg@hrg-inc.com www.hrg-inc.com

# **GENERAL NOTES**

- 1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL LOCAL AND STATE REGULATIONS, CODES AND OSHA STANDARDS.
- 2. THE AREA IN WHICH SEWERLINES, STRUCTURES, AND APPURTENANCES ARE TO BE CONSTRUCTED UNDER THIS CONTRACT MAY CONTAIN EXISTING UNDERGROUND AND ABOVE GROUND UTILITIES AND STRUCTURES WHICH ARE NOT SHOWN ON THESE DRAWINGS. THE DATA PERTAINING TO SIZES, LOCATION AND DEPTH OF EXISTING UTILITIES THAT ARE SHOWN ON THESE DRAWINGS ARE FOR GENERAL INFORMATION AND GUIDANCE ONLY. THE EXACT LOCATION, DEPTH AND SIZE OF EXISTING UNDERGROUND UTILITIES WITHIN THE LIMITS OF THE WORK SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION IN ACCORDANCE WITH THE CONDITIONS CONTAINED IN THE CONTRACT.
- 3. THE CONTRACTOR SHALL EXERCISE EXTREME CARE IN EXCAVATION FOR ALL UNDERGROUND PIPELINES AND FACILITIES TO PREVENT ACCIDENTAL DAMAGE TO EXISTING UTILITIES AND ADJACENT BUILDINGS AND STRUCTURES. THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXPOSED LINES, OR OTHER FACILITIES AND SHALL SUPPORT AND MAINTAIN THE SAFETY AND STRUCTURAL INTEGRITY OF ADJACENT BUILDINGS AND STRUCTURES WITHIN OR DIRECTLY ADJACENT TO THE RIGHT—OF—WAYS INDICATED. RESTORATION OF DAMAGED BUILDINGS, STRUCTURES, PIPING, CABLES, CONDUITS, WIRING AND APPURTENANCES SHALL BE AT NO COST TO THE OWNERS OF SAID BUILDINGS, STRUCTURES AND UTILITIES, OWNER OR THE ENGINEER.
- 4. IN THE EVENT OF DAMAGE TO UTILITIES, BUILDINGS OR STRUCTURES THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY, STRUCTURE OR BUILDING OWNER AND THE ENGINEER, AND BE PREPARED TO IMMEDIATELY MAKE COMPLETE RESTORATION AND REPAIR OF THE DAMAGED FACILITY TO THE SATISFACTION OF THE UTILITY, STRUCTURE OR BUILDING OWNER. NO REPAIR OF THE UTILITY IS TO COMMENCE UNLESS AUTHORIZED BY ENGINEER OR THREAT OF DAMAGE TO PROPERTY OR PERSONS IS IMMINENT.
- 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS NECESSARY FOR THIS PROJECT, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS AND POLES, ETC. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS / SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COSTS SHALL BE INCLUDED IN THE BASE BID.
- 6. THE CONTRACTOR MUST COORDINATE AND COMPLY WITH THE POWER COMPANY (OVERHEAD POWER LINES)
- 7. OSHA EXCAVATION STANDARDS SHALL APPLY TO THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SAFETY OF TRENCH AND STRUCTURES.
- 8. CONTRACTOR SHALL ENDEAVOR TO MINIMIZE DAMAGE TO EXISTING STRUCTURES, MAILBOXES, SHEDS, TREES, ETC. WHEN SUCH ITEMS CANNOT BE AVOIDED DURING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR AND REPLACE AT NO ADDITIONAL COST TO THE OWNER. THE MAIL SERVICES IS TO BE MAINTAINED AT ALL TIMES.
- 9. THE CONTRACTOR IS ENCOURAGED TO OBTAIN COPIES AND BECOME FAMILIAR WITH THE TOWNSHIP'S ZONING ORDINANCE, SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AND STANDARD CONSTRUCTION AND MATERIALS SPECIFICATIONS AS WELL AS PENNDOT PUBLICATION 408 AND PENNDOT RC STANDARDS. THE CONTRACTOR IS RESPONSIBLE TO MEET THE REQUIREMENTS OF THESE ORDINANCES, SPECIFICATIONS AND STANDARDS FOR VARIOUS PUBLIC IMPROVEMENTS.
- 10. NO TOPSOIL IS TO BE REMOVED FROM SITE. ALL TOPSOIL SHALL BE REPLACED TO THE ORIGINAL DEPTH PRIOR TO EXCAVATION.
- 11. THE CONTRACTOR MUST COMPLY WITH THE PENNSYLVANIA ONE-CALL SYSTEM (AT 1-800-242-1776).
- 12. COMPLETE ALL WORK IN ACCORDANCE WITH: PENN DOT PUBLICATION 408 CURRENT ADDITION; PUBLICATION 72 RC-STANDARDS AND PUBLICATION 111 TC-STANDARDS; UNLESS OTHERWISE NOTED.
- 13. MAINTENANCE AND PROTECTION OF TRAFFIC DURING CONSTRUCTION SHALL BE IN ACCORDANCE WITH PENNDOT PUBLICATION 213, "TEMPORARY TRAFFIC CONTROL GUIDELINES", APRIL 2010, OR MOST CURRENT EDITIONS OR SUPPLEMENTS.
- REMOVE ALL SHORT-TERM SIGNING UPON COMPLETION OF THAT DAY'S WORK PERIOD.
- DO NOT STOP TRAFFIC FLOW WITHIN THE STATE ROUTE WORK AREA FOR MORE THAN A 15-MINUTE PERIOD AT A TIME.
- 14. SITE DISTURBANCE IS PERMITTED TO START ONLY IF AND WHEN SUFFICIENT TIME IS AVAILABLE TO STABILIZE DISTURBED AREAS IN ACCORDANCE WITH DEP REQUIREMENTS AND WITH THE APPROVED PLAN.
- 15. ALL SEWER MAINS MUST HAVE A MINIMUM OF 4'-0" OF COVER, OR AS SPECIFIED.
- 16. PROVIDE MINUMUM OF 18" VERTICAL OR 10' HORIZONTAL SEPARATION DISTANCE BETWEEN WATER MAINS AND UTILITIES WHERE POSSIBLE.
- 17. BASEMAPPING IS PROVIDED BY HERBERT, ROWLAND AND GRUBIC, INC. 2018.
- 18. RESTORATION TYPES, SEE PROJECT MANUAL FOR RESTORATION REQUIREMENTS.
- 19. ALL ELEVATIONS SHOWN ARE REFERENCED TO BENCHMARKS AND SHALL BE VERIFIED BY THE CONTRACTOR.
- 20. THE CONTRACTOR SHALL ESTABLISH AND MAINTAIN TEMPORARY BENCHMARKS WITHIN THE PROJECT AREA AS REQUIRED FOR THE WORK.
- 21. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LOCATIONS AND DEPTHS AT THE PROJECT SITE.
- 22. THE CONTRACTOR SHALL COORDINATE HIS ACTIVITIES WITH THOSE OF ALL OTHER CONTRACTORS ON SITE IN ORDER TO MINIMIZE DELAYS ASSOCIATED WITH CONFLICTS.
- 23. ALL SPOT ELEVATIONS ARE REFERENCED TO THE FINISHED GROUND SURFACE UNLESS OTHERWISE NOTED.

# LEGEND

•	Monument		PROPOSED EASEMENT
<b>©</b>	Iron Pipe	1010	PROPOSED CONTOUR
•	Iron Pin	X 410.00	PROPOSED SPOT ELEVATION
<b>�</b>	Benchmark	X BC 410.00	PROPOSED BOTTOM OF CURB SPOT ELEVATION
	Property Line	X TC 410.00	PROPOSED TOP OF CURB SPOT ELEVATION
	Legal Right-of-Way Line	X HP 410.00	PROPOSED HIGH POINT SPOT ELEVATION
	Setback Line	X LP 410.00	PROPOSED LOW POINT SPOT ELEVATION
— <i>–540</i> — —	Existing Contour Major		PROPOSED CURB
	Existing Contour Minor	20	PROPOSED PARKING SPACE QUANTITY TAG
===	Existing Ditch Or Swale	•	PROPOSED SIGN
	Existing Shrub	•	PROPOSED BOLLARD
	Existing Coniferous Tree	LOD	LIMIT OF DISTURBANCE
	Existing Deciduous Tree	RCE	ROCK CONSTRUCTION ENTRANCE
uu	Tree/Brush Line	— CFS —	COMPOST FILTER SOCK
$\alpha$	Shrub Row		INLET PROTECTION
	Existing Curb	CeA	SOIL BOUNDARIES
	Existing Edge of Road	ErB	
	Existing Edge of Gravel	—	PROPOSED TELEPHONE LINE
X	Existing Fence	——E——	PROPOSED ELECTRIC LINE
ବ	Existing Sign	——FOT——	PROPOSED FIBER OPTIC LINE PROPOSED ELECTRICAL BOX
$\odot$	Existing Sign And Posts	E	PROPOSED GAS LINE
0	Existing Bollard		PROPOSED GAS VALVE
□ <i>MB</i>	Existing Mailbox	⊕ GV ⊙ GM	PROPOSED GAS WETER
CTVU	Existing Underground Cable TV Line	——S——	PROPOSED SANITARY LINE
	Existing Above Ground Telephone and Cable TV Line	<b>3</b>	PROPOSED SANITARY/STORM MANHOLE
-	Existing Telephone Pole	<b>⊙</b> C0	PROPOSED SANITARY CLEANOUT
———E———	Existing Above Ground Electric Line	w	PROPOSED WATER LINE
EU	Existing Underground Electric Line	 ⊗ w∨	PROPOSED WATER VALVE
——— E, T ———	Existing Above Ground Electric, Telephone and Cable TV Line	<b>※</b>	PROPOSED FIRE HYDRANT
—— Е, Т, СТV ——	Existing Above Ground Electric and Telephone Line	<b>⊘</b> wm	PROPOSED WATER METER
•	Existing Electric Pole		
<b>♦</b> ♦ <b>♦</b> ♦ ≻	Existing Light Standard	$\bigcirc$	CONCRETE WASHOUT
	Existing Guy Wire		
-&-	Existing Traffic Signal Pole		
G	Existing Gas Line		
⊙ <i>GM</i>	Existing Gas Meter		

# PA ONE CALL ACT 287, AS AMENDED



PENNSYLVANIA ACT 287 (1974) AS AMENDED, REQUIRES NOTIFICATION
BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S
SURFACE ANYWHERE IN THE COMMONWEALTH.
PA ONE-CALL SERIAL NO. 20210600746-000 HAS BEEN ASSIGNED TO THIS PROJECT ON
03-01-2021.

# PA ONE CALL-UTILITY LIST

FERGUSON TOWNSHIP
WINDSTREAM
COLUMBIA GAS
COMCAST
VERIZON
WEST PENN POWER
PENN STATE UNIVERSITY
STATE COLLEGE BOROUGH WATER AUTHORITY
UNIVERSITY AREA JOINT AUTHORITY

# MAINTENANCE AND PROTECTION OF TRAFFIC DURING CONSTRUCTION

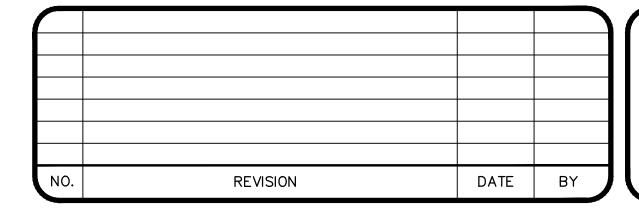
# 1. GENERAL:

- A. FURNISH, ERECT, PLACE, AND MAINTAIN TRAFFIC CONTROL SIGNS AND DEVICES AND MAINTAIN TRAFFIC DURING HOURS OF CONSTRUCTION AND AT ALL OTHER TIMES IN ACCORDANCE WITH THE TEMPORARY TRAFFIC CONTROL PLANS, STANDARD FIGURES FROM PUBLICATION 213, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (CHAPTER 6) AND THE FOLLOWING:
- I. THE SPECIAL PROVISIONS OF THE CONTRACT.
- II. THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)
  III. 67 PA CODE, CHAPTER 212, OFFICIAL TRAFFIC CONTROL DEVICES.
- IV. PENNDOT PUBLICATION NO. 213, TEMPORARY TRAFFIC CONTROL GUIDELINES.
- V. PENNDOT PUBLICATION 236M, HANDBOOK OF APPROVED SIGNS
- VI. PENNDOT STANDARD SPECIFICATIONS (INCLUDING SECTION 901).
- B. ADJUST, REPAIR, OR REPLACE TRAFFIC CONTROL DEVICES AS NECESSARY DURING CONSTRUCTION.
- C. THE CONTRACTOR, AT HIS DISCRETION, MAY SUBMIT AN ALTERNATE TRAFFIC CONTROL PLAN FOR REVIEW AND APPROVAL BY THE ENGINEER AND PENNDOT.
- D. MAINTAIN CONSTANT SURVEILLANCE OF THE TRAFFIC CONTROL OPERATION AND REPLACE OR CORRECT ANY MISSING, DAMAGED, INEFFECTIVE, OR MISALIGNED EQUIPMENT TO THE SATISFACTION OF THE ENGINEER.
- E. MAINTAIN ACCESS TO ALL PUBLIC ROADS AND PRIVATE DRIVEWAYS DURING CONSTRUCTION.
- F. DO NOT STOP TRAFFIC WITHIN THE WORK AREA FOR MORE THAN A 15-MINUTE PERIOD AT ANY ONE TIME.
- G. NOTIFY THE INSPECTOR—IN—CHARGE THREE (3) DAYS IN ADVANCE OF ANY PROPOSED LANE/SHOULDER RESTRICTIONS OR ROAD CLOSURES. ALSO, PROVIDE THE INSPECTOR—IN—CHARGE WITH A 24 HOUR EMERGENCY PHONE LIST PRIOR TO CONSTRUCTION FOR THIS PROJECT.
- H. USE TYPE III SHEETING ON ALL SHORT—TERM AND LONG—TERM TRAFFIC CONTROL SIGNING. SIGN SHEETING SHALL BE FLUORESCENT ORANGE AND BE OF AN APPROVED TYPE AS LISTED IN PUBLICATION 35 (BULLETIN 15).
- MOUNT ALL LONG TERM SIGNS ON TYPE III BARRICADES UNLESS OTHERWISE NOTED OR DIRECTED.
- INSTALL SHORT TERM SIGNAGE IN ACCORDANCE WITH PATA 102 AND 107.
- K. INSTALL LONG TERM SIGNAGE IN ACCORDANCE WITH PATA 201 AND 204.
- L. LONG TERM SIGNAGE TO BE ERECTED PRIOR TO COMMENCEMENT OF ANY AND ALL WORK WITHIN THE LEGAL RIGHT—OF—WAY AND REMOVED UPON COMPLETION OF ANY AND ALL SAID WORK.
- M. REMOVE ALL SHORT-TERM TRAFFIC CONTROL SIGNING UPON COMPLETION OF THAT DAY'S WORK PERIOD.
- N. REMOVE OR COVER ANY CONFLICTING PAVEMENT MARKINGS AND/OR SIGNS.
- O. MAINTAIN UNOBSTRUCTED ACCESS TO EXISTING PROPERTIES ALONG THE CONSTRUCTION SITE AT
- P. ALL PENNDOT TRAFFIC CONTROL REQUIREMENTS SHALL BE REQUIRED WITHIN BOROUGH AND TOWNSHIP ROAD RIGHT-OF-WAYS.

# 2. CONSTRUCTION:

A. TRAFFIC CONTROL DEVICES ARE NOT REQUIRED IF THE WORK SPACE IS OUTSIDE THE PENNDOT RIGHT-OF-WAY OR MORE THAN TWO FEET BEHIND THE CURB. IF TRAFFIC CONTROL DEVICES ARE REQUIRED, INSTALL IN ACCORDANCE WITH THE MAINTENANCE AND PROTECTION OF TRAFFIC NARRATIVE.

SHEET LIST											
SHEET NO. DRAWING NO. SHEET TITLE											
2	00G-01	GENERAL NOTES, LEGEND, ABBREVIATIONS AND UTILITY LIST									
3	10D-01	PLAN AND PROFILE									
4	10D-02	PLAN AND PROFILE									
5	10D-03	CONSTRUCTION DETAILS									
6	10D-04	E&S CONTROL NOTES & DETAILS									
7	10D-05	E&S CONTROL NOTES & DETAILS									
8	10T-01	TRAFFIC CONTROL NOTES AND DETAILS									





Existing Storm Sewer Line

Existing Storm Sewer Inlet

© San. MH Existing Sanitary Sewer Manhole

Existing Cleanout

Storm MH Existing Storm Sewer Manhole

Existing Water Valve

Existing Fire Hydrant

Existing Water Meter

Existing Water Spigot

**GYP.** GYPSUM

L.F. LINEAR FOOT

MIN MINIMUM

M.J. MECHANICAL JOINT

ON CENTER

PLAIN END

REDUCER

THICK

T.O.W. TOP OF WALL

REINFORCING

RIGHT-OF-WAY

RESTRAINED JOINT

STAINLESS STEEL

STAINLESS STEEL

TOP OF CONCRETE

TOP OF GRADING

**PERF** PERFORATED

R-0-W

TYP.

HDPE HIGH DENSITY POLYETHYLENE

NOMINAL PIPE THREAD

POLYVINYL CHLORIDE PIPE

**ABBREVIATIONS** 

AVERAGE WATER LEVEL

AL. ALUMINUM

**APPROX.** APPROXIMATELY

BEARING

CAST IRON PIPE

CORRUGATED METAL PIPE

CENTER LINE

CHECK VALVE

FOUNDATION

FLANGED JOINT

**G.ST'L** GALVANIZED STEEL PIPE

FINSIHED GRADE

DUCTILE IRON PIPE

DIAMETER

CONCRETE CONTINUOUS

2568 Park Center Boulevard State College, PA 16801 (814) 238-7117

Email - hrg@hrg-inc.com

www.hrg-inc.com



GENERAL NOTES, LEGEND, ABBREVIATIONS AND
UTILITY, SHEET LIST FOR
WHITEHALL ROAD LOW PRESSURE
SANITARY SEWER EXTENSION

	CADD-	MLW
	CHECKED-	-
I	SCALE-	AS NOTED

DATE-

PROJ. MGR. — JRG

DESIGN- BRB

OOG-01

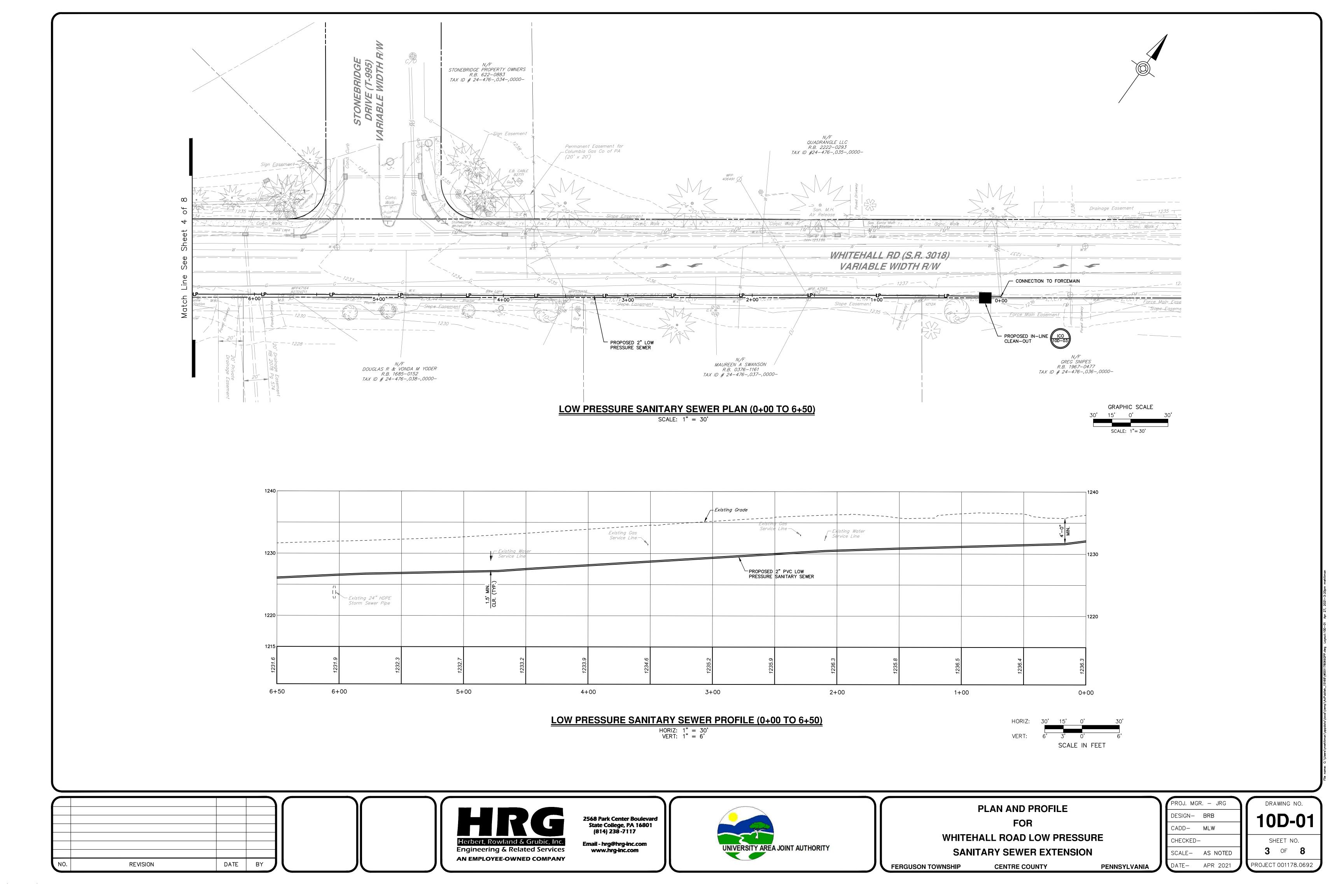
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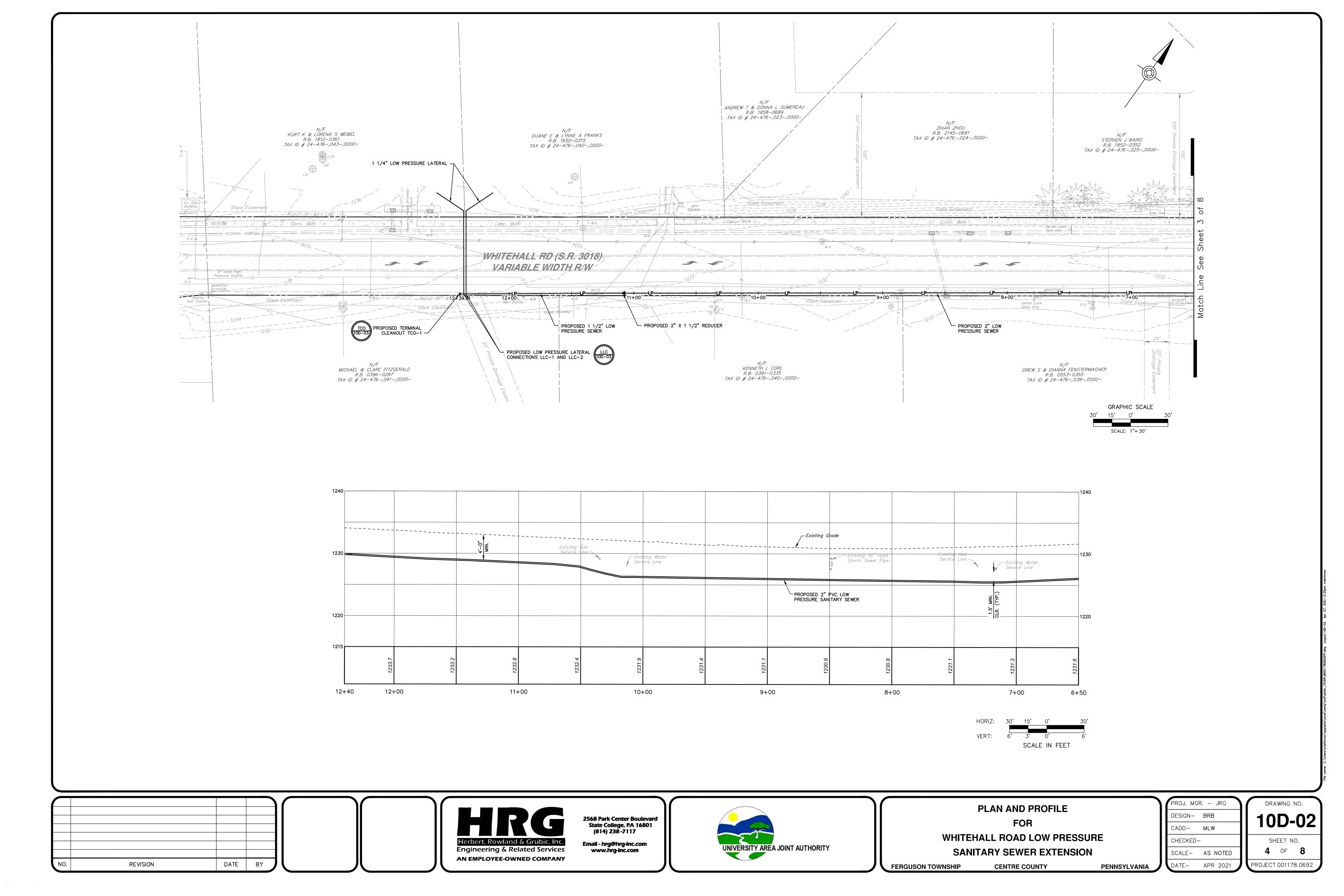
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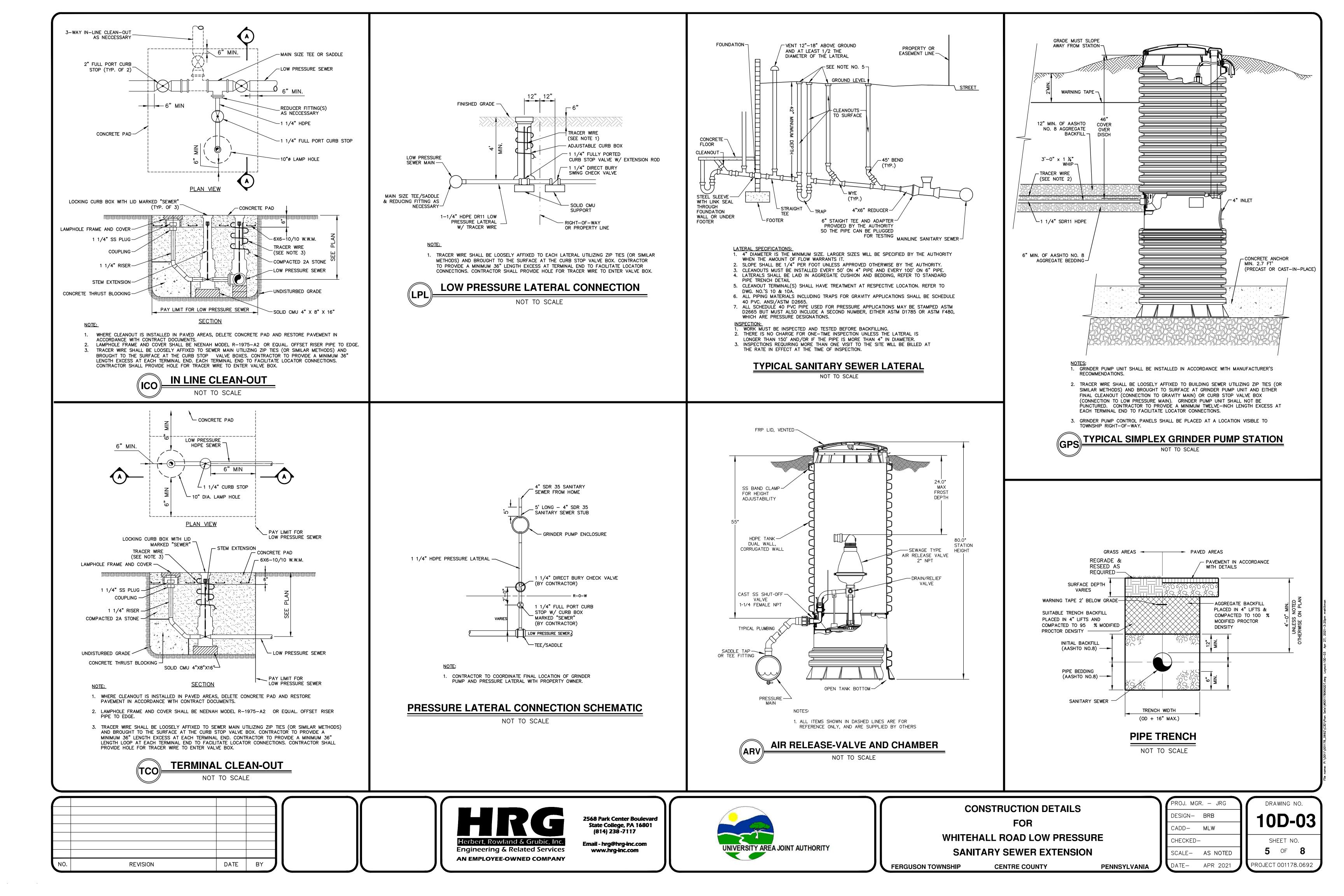
FERGUSON TOWNSHIP CENTRE COUNTY

PENNSYLVANIA

APR 2021 PROJECT 001178.0692







# **GENERAL EROSION AND SEDIMENT CONTROL NOTES**

- A COPY OF THE APPROVED DRAWINGS (STAMPED SIGNED AND DATED BY THE REVIEWING AGENCY) MUST BE AVAILABLE AT THE PROJECT SITE AT ALL TIMES.
- 2. AT LEAST 7 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES (INCLUDING CLEARING AND GRUBBING), THE OWNER AND/OR OPERATOR SHALL INVITE ALL CONTRACTORS, THE LANDOWNER, APPROPRIATE MUNICIPAL OFFICIALS, THE E&S PLAN PREPARER, THE POST CONSTRUCTION STORMWATER MANAGEMENT PLAN PREPARER, AND A REPRESENTATIVE FROM THE LOCAL CONSERVATION DISTRICT TO AN ON-SITE PRECONSTRUCTION MEETING.
- 3. AT LEAST 3 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES, OR EXPANDING INTO AN AREA PREVIOUSLY UNMARKED, THE PENNSYLVANIA ONE CALL SYSTEM INC. SHALL BE NOTIFIED AT 1-800-242-1776 FOR THE LOCATION OF EXISTING UNDERGROUND UTILITIES.
- 4. ALL EARTH DISTURBANCE ACTIVITIES SHALL PROCEED IN ACCORDANCE WITH THE SEQUENCE PROVIDED ON THE PLAN DRAWINGS. DEVIATION FROM THAT SEQUENCE MUST BE APPROVED IN WRITING FROM THE LOCAL CONSERVATION DISTRICT OR BY DEP PRIOR TO IMPLEMENTATION.
- 5. CLEARING, GRUBBING, AND TOPSOIL STRIPPING SHALL BE LIMITED TO THOSE AREAS DESCRIBED IN EACH STAGE OF THE CONSTRUCTION SEQUENCE. GENERAL SITE CLEARING, GRUBBING AND TOPSOIL STRIPPING MAY NOT COMMENCE IN ANY STAGE OR PHASE OF THE PROJECT UNTIL THE E&S BMP'S SPECIFIED BY THE CONSTRUCTION SEQUENCE FOR THAT STAGE OR PHASE HAVE BEEN INSTALLED AND ARE FUNCTIONING AS DESCRIBED IN THIS DOCUMENT.
- 6. AT NO TIME SHALL CONSTRUCTION VEHICLES BE ALLOWED TO ENTER AREAS OUTSIDE THE LIMIT OF DISTURBANCE BOUNDARIES SHOWN ON THE PLAN MAPS. THESE AREAS MUST BE CLEARLY MARKED AND FENCED OFF BEFORE CLEARING AND GRUBBING OPERATIONS BEGIN.
- 7. STOCKPILE HEIGHTS MUST NOT EXCEED 35 FEET. STOCKPILE SLOPES MUST BE 2H:1V OR FLATTER.
- 3. IMMEDIATELY UPON DISCOVERING UNFORESEEN CIRCUMSTANCES POSING THE POTENTIAL FOR ACCELERATED EROSION AND/OR SEDIMENT POLLUTION, THE OPERATOR SHALL IMPLEMENT APPROPRIATE BMP'S TO MINIMIZE THE POTENTIAL FOR EROSION AND SEDIMENT POLLUTION AND NOTIFY THE LOCAL CONSERVATION DISTRICT AND/OR THE REGIONAL
- 9. ALL BUILDING MATERIALS AND WASTES MUST BE REMOVED FROM THE SITE AND RECYCLED OR DISPOSED OF IN ACCORDANCE WITH THE DEPARTMENT'S SOLID WASTE MANAGEMENT REGULATIONS AT 25 PA. CODE CHAPTER 260, §\$260.1 ET SEQ., 271.1, AND 287.1 ET. SEQ. NO BUILDING MATERIALS OR WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURNED, BURIED, DUMPED, OR DISCHARGED AT THE SITE.
- 10. ALL OFF—SITE WASTE AND BORROW AREAS MUST HAVE AN E&S PLAN APPROVED BY THE LOCAL CONSERVATION DISTRICT OR DEP FULLY IMPLEMENTED PRIOR TO BEING ACTIVATED.
- 11. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ANY MATERIAL BROUGHT ON SITE IS CLEAN FILL. FORM FP-001 MUST BE RETAINED BY THE PROPERTY OWNER FOR ANY FILL MATERIAL AFFECTED BY A SPILL OR RELEASE OF A REGULATED SUBSTANCE BUT QUALIFYING AS CLEAN FILL DUE TO ANALYTICAL TESTING.
- 12. ALL PUMPING OF WATER FROM ANY WORK AREA SHALL BE DONE ACCORDING TO THE PROCEDURE DESCRIBED IN THIS PLAN. OVER UNDISTURBED VEGETATED AREAS.
- 13. UNTIL THE SITE IS STABILIZED, ALL E&S BMP'S MUST BE MAINTAINED PROPERLY. MAINTENANCE MUST INCLUDE INSPECTIONS OF ALL E&S BMP'S AFTER EACH RUNOFF EVENT AND ON A WEEKLY BASIS. ALL PREVENTATIVE AND REMEDIAL MAINTENANCE WORK, INCLUDING CLEAN OUT, REPAIR, REPLACEMENT, REGRADING, RESEEDING, REMULCHING AND RENETTING MUST BE PERFORMED IMMEDIATELY. IF E&S BMP'S FAIL TO PERFORM AS EXPECTED, REPLACEMENT BMP'S, OR MODIFICATIONS OF THOSE INSTALLED WILL BE REQUIRED.
- 14. A LOG SHOWING DATES THAT E&S BMP'S WERE INSPECTED AS WELL AS ANY DEFICIENCIES FOUND AND THE DATE THEY WERE CORRECTED SHALL BE MAINTAINED ON THE SITE AND BE MADE AVAILABLE TO REGULATORY AGENCY OFFICIALS AT THE TIME OF INSPECTION.
- 15. SEDIMENT TRACKED ONTO ANY PUBLIC ROADWAY OR SIDEWALK SHALL BE RETURNED TO THE CONSTRUCTION SITE BY THE END OF EACH WORK DAY AND DISPOSED IN THE MANNER DESCRIBED IN THIS PLAN. IN NO CASE SHALL THE SEDIMENT BE WASHED, SHOVELED, OR SWEPT INTO ANY ROADSIDE DITCH, STORM SEWER, OR SURFACE WATER.
- 16. ALL SEDIMENT REMOVED FROM BMP'S SHALL BE DISPOSED OF IN THE MANNER DESCRIBED ON THE PLAN DRAWINGS.17. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 4 INCHES PRIOR TO PLACEMENT OF TOPSOIL. AREAS TO BE VEGETATED SHALL HAVE A MINIMUM 4" OF TOPSOIL IN PLACE PRIOR TO SEEDING AND
- 18. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
- 19. ALL FILLS SHALL BE PLACED IN COMPACTED LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS
- 20. FILL MATERIALS SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
- 21. FROZEN MATERIALS OR SOFT, MUCKY, OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO
- 22. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.

MULCHING. FILL OUTSLOPES SHALL HAVE A MINIMUM OF 2" OF TOPSOIL.

- 23. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD.
- 24. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY UPON REACHING FINISHED GRADE. CUT SLOPES IN COMPETENT BEDROCK AND ROCK FILLS NEED NOT BE VEGETATED.
- 25. IMMEDIATELY AFTER EARTH DISTURBANCE ACTIVITIES CEASE IN ANY AREA OR SUBAREA OF THE PROJECT, THE OPERATOR SHALL STABILIZE ALL DISTURBED AREAS. DURING NON-GERMINATING MONTHS, MULCH OR PROTECTIVE BLANKETING SHALL BE APPLIED AS DESCRIBED IN THE PLAN. AREAS NOT AT FINISHED GRADE, WHICH WILL BE REACTIVATED WITHIN 1 YEAR, MAY BE STABILIZED IN ACCORDANCE WITH THE TEMPORARY STABILIZATION SPECIFICATIONS. THOSE AREAS WHICH WILL NOT BE REACTIVATED WITHIN 1 YEAR SHALL BE STABILIZED IN ACCORDANCE WITH THE PERMANENT STABILIZATION SPECIFICATIONS.
- 26. PERMANENT STABILIZATION IS DEFINED AS A MINIMUM UNIFORM, PERENNIAL 70% VEGETATIVE COVER OR OTHER PERMANENT NON-VEGETATIVE COVER WITH A DENSITY SUFFICIENT TO RESIST ACCELERATED EROSION. CUT AND FILL SLOPES SHALL BE CAPABLE OF RESISTING FAILURE DUE TO SLUMPING, SLIDING, OR OTHER MOVEMENTS.
- STABILIZED OR UNTIL THEY ARE REPLACED BY ANOTHER BMP APPROVED BY THE LOCAL CONSERVATION DISTRICT OR DEP.

27. E&S BMP'S MUST REMAIN FUNCTIONAL AS SUCH UNTIL ALL AREAS TRIBUTARY TO THEM ARE PERMANENTLY

- 28. UPON COMPLETION OF ALL EARTH DISTURBANCE ACTIVITIES AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS, THE OWNER AND/OR OPERATOR SHALL CONTACT THE LOCAL CONSERVATION DISTRICT FOR AN INSPECTION PRIOR TO REMOVAL/CONVERSION OF THE E&S BMP'S.
- 29. AFTER FINAL SITE STABILIZATION HAS BEEN ACHIEVED, TEMPORARY E&S BMP'S MUST BE REMOVED OR CONVERTED TO PERMANENT POST CONSTRUCTION STORMWATER MANAGEMENT BMP'S. AREAS DISTURBED DURING REMOVAL OR CONVERSION OF THE BMP'S MUST BE STABILIZED IMMEDIATELY. IN ORDER TO ENSURE RAPID REVEGETATION OF DISTURBED AREAS, SUCH REMOVAL/CONVERSIONS SHOULD BE DONE ONLY DURING THE GERMINATING SEASON.
- 30. UPON COMPLETION OF ALL EARTH DISTURBANCE ACTIVITIES AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS, THE OWNER AND/OR OPERATOR SHALL CONTACT THE LOCAL CONSERVATION DISTRICT TO SCHEDULE A FINAL INSPECTION.
- 31. FAILURE TO CORRECTLY INSTALL E&S BMP'S, FAILURE TO PREVENT SEDIMENT—LADEN RUNOFF FROM LEAVING THE CONSTRUCTION SITE, OR FAILURE TO TAKE IMMEDIATE CORRECTIVE ACTION TO RESOLVE FAILURE OF E&S BMP'S MAY RESULT IN ADMINISTRATIVE, CIVIL, AND/OR CRIMINAL PENALTIES BEING INSTITUTED BY THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS DEFINED IN SECTION 602 OF THE PENNSYLVANIA CLEAN STREAMS LAW. THE CLEAN STREAMS LAW PROVIDES FOR UP TO \$10,000 PER DAY IN CIVIL PENALTIES, UP TO \$10,000 IN SUMMARY CRIMINAL PENALTIES, AND UP TO \$25,000 IN MISDEMEANOR CRIMINAL PENALTIES FOR EACH VIOLATION.
- 32. ONLY LIMITED UPSLOPE DISTURBANCE WILL BE PERMITTED TO PROVIDE ACCESS TO ANY SEDIMENT BASINS, SEDIMENT TRAPS, DIVERSION CHANNELS, AND OTHER CONTROL MEASURES FOR GRADING AND ACQUIRING BORROW TO CONSTRUCT THOSE CONTROLS AS REQUIRED.
- 33. EROSION AND SEDIMENT CONTROLS MUST BE CONSTRUCTED, STABILIZED, AND FUNCTIONAL BEFORE GENERAL SITE DISTURBANCE WITHIN THE TRIBUTARY AREAS OF THOSE CONTROLS.
- 34. VEHICLES MAY ONLY ENTER AND EXIST AT THE LOCATION OF APPROVED CONSTRUCTION ENTRANCES.
- 35. ALL STORMWATER INLETS MUST BE PROTECTED UNTIL THE TRIBUTARY AREAS ARE STABILIZED. INLETS WHICH DO NOT DISCHARGE TO A SEDIMENT TRAP OR SEDIMENT BASIN MUST BE PROTECTED UNTIL THE TRIBUTARY AREAS ARE
- 36. ANY DIVERSION CHANNELS, SEDIMENT BASINS, SEDIMENT TRAPS, DIVERSION BERMS, AND STOCKPILES MUST BE SEEDED AND MULCHED IMMEDIATELY.

**REVISION** 

- 37. THE PERMTITEE WILL BE RESPONSIBLE FOR THE PROPER CONSTRUCTION STABILIZATION, AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROLS AND RELATED ITEMS INCLUDED ON THIS PLAN.
- 38. THE PERMTITEE MUST DEVELOP, AND HAVE APPROVED BY THE COUNTY CONSERVATION DISTRICT, A SEPARATE EROSION AND SEDIMENT CONTROL PLAN FOR EACH SPOIL, BORROW OR OTHER WORK AREA NOT DETAILED ON THE APPROVED PLAN, WHETHER LOCATED WITHIN OR OUTSIDE OF THE CONSTRUCTIONS LIMITS.
- 39. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF EXISTING TREES AND SHRUBS TO REMAIN FROM UNNECESSARY DAMAGE.
- 40. THE PERMITTEE AND CO-PERMITTEE SHALL TAKE ALL REASONABLE STEPS TO MINIMIZE OR PREVENT ANY DISCHARGE IN VIOLATION OF THIS PERMIT WHICH HAS A LIKELIHOOD OF ADVERSELY AFFECTING HUMAN HEALTH OR ENVIRONMENT

DATE

# CONSTRUCTION SEQUENCE

# PRE-CONSTRUCTION:

- 1. THIS PLAN AND SEQUENCE SHALL BE IMPLEMENTED TO 1) MINIMIZE THE EXTENT AND DURATION OF EARTH DISTURBANCE, 2) MAXIMIZE PROTECTION OF EXISTING DRAINAGE FEATURES AND VEGETATION 3) MINIMIZE SOIL COMPACTION 4) UTILIZE MEASURES AND CONTROLS THAT PREVENT AND MINIMIZE INCREASED STORMWATER RUNOFF.
- 2. ALL APPLICABLE PERMITS AND APPROVALS REQUIRED FOR THIS PROJECT SHALL BE SECURED PRIOR TO THE START OF CONSTRUCTION. COPIES OF PERMITS, PLANS AND APPROVALS SHALL BE KEPT ON—SITE AT ALL TIMES.
- 3. AT LEAST 7 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES (INCLUDING CLEARING AND GRUBBING), THE OWNER AND/OR OPERATOR SHALL INVITE ALL CONTRACTORS, THE LANDOWNER, APPROPRIATE MUNICIPAL OFFICIALS, THE E&S PLAN PREPARER, THE POST CONSTRUCTION STORMWATER MANAGEMENT PLAN PREPARER, AND A REPRESENTATIVE FROM THE LOCAL CONSERVATION DISTRICT TO AN ON-SITE PRECONSTRUCTION MEETING.
- 4. UPON INSTALLATION OR STABILIZATION OF ALL PERIMETER SEDIMENT CONTROL BMPS AND AT LEAST 3 DAYS PRIOR TO PROCEEDING WITH THE BULK EARTH DISTURBANCE ACTIVITIES, THE PERMITTEE OR CO-PERMITTEE SHALL PROVIDE NOTIFICATION TO THE DEPARTMENT OR AUTHORIZED CONSERVATION DISTRICT.
- 5. AT LEAST 3 DAYS PRIOR TO STARTING ANY EARTH DISTURBANCE ACTIVITIES, OR EXPANDING INTO AN AREA PREVIOUSLY UNMARKED, THE PENNSYLVANIA ONE CALL SYSTEM INC. SHALL BE NOTIFIED AT 1-800-242-1776 FOR THE LOCATION OF EXISTING UNDERGROUND UTILITIES.
- 6. ALL EARTH DISTURBANCE ACTIVITIES SHALL PROCEED IN ACCORDANCE WITH THE SEQUENCE PROVIDED ON THE PLAN DRAWINGS. DEVIATION FROM THAT SEQUENCE MUST BE APPROVED IN WRITING FROM THE LOCAL CONSERVATION DISTRICT OR
- 7. NON-DESIGNED WASTE/BORROW AREAS MUST HAVE AN APPROVED E&S CONTROL PLAN.
- 8. RESPONSIBILITY FOR IMPLEMENTING THE E&S CONTROLS SHALL BE DESIGNATED TO AT LEAST ONE INDIVIDUAL WHO WILL BE PRESENT AT THE PROJECT SITE DAILY.

# CONSTRUCTION:

- 1. FIELD-MARK LIMITS OF DISTURBANCE AND ENVIRONMENTALLY SENSITIVE AREAS (INCLUDING STEEP SLOPES, RIPARIAN BUFFERS, WETLANDS, SPRINGS, AND FLOODWAYS).
- 2. INSTALL ROCK CONSTRUCTION ENTRANCES WHERE SHOWN.
- 3. INSTALL ALL COMPOST SOCKS WHERE NECESSARY IN ACCORDANCE WITH THE STANDARD DETAILS. INSTALL INLET PROTECTION AS NEEDED WITHIN THE RIGHT OF WAY (ROW). COMPOST FILTER SOCKS AND INLET PROTECTION TO BE INSTALLED DOWN SLOPE OF WORK AREA PRIOR TO EARTH DISTURBANCE.
- 4. ONCE ALL DOWN SLOPE EROSION CONTROL MEASURES ARE IN PLACE, EXCAVATE TRENCH FOR THAT PORTION OF THE PROJECT, INSTALL SEWER LINE AND BACKFILL THE TRENCH. IF THE TRENCH MUST BE DEWATERED, PUMPED WATER SHALL BE FILTERED THROUGH A PUMPED WATER FILTER BAG IN ACCORDANCE WITH THE APPLICABLE DETAILS.

  NOTES:
- ANY TRENCH WASTE MATERIAL THAT IS UNSUITABLE FOR BACKFILL SHALL BE PROPERLY DISPOSED OF BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR ANY PERMITTING OF WASTE DISPOSAL AREAS.
- ANY TRENCH MATERIAL THAT IS SUITABLE FOR BACKFILL SHALL BE WINDROWED UPSLOPE OF TRENCH.
- THE AMOUNT OF TRENCH THAT IS TO BE EXCAVATED SHOULD BE LIMITED TO NO MORE THAN CAN BE BACKFILLED, COMPACTED, AND STABILIZED IN ONE DAY.
- EXCAVATION FOR TRENCHES OF SERVICE LINES AND GRINDER PUMPS BY THE SAME METHOD AS NOTED ABOVE.
- ANY ADDITIONAL SPOILS NOT INCORPORATED INTO TRENCH BACKFILL, OR REMOVED FROM SITE, SHALL BE SCARIFIED AND PERMANENTLY STABILIZED AT THE SPOILS LOCATIONS SHOWN ON THE PLAN.
- 4. COMPLETE PERMANENT RESTORATION AS SOON AS POSSIBLE FOLLOWING TRENCH EXCAVATION, PARTICULARLY GRAVEL AND PAVED ROADWAY AREAS. THIS WILL MINIMIZE SEDIMENT BEING CARRIED AWAY FROM THE SITE.
- 5. STABILIZE ANY REMAINING DISTURBED SOIL WHICH SHALL REMAIN EXPOSED FOR MORE THAN 3 DAYS ACCORDING TO THE SEEDING SCHEDULE FOUND IN THE DETAILS. UPON FINAL STABILIZATION (70%) MINIMUM PERENNIAL VEGETATIVE COVER, WITH A DENSITY CAPABLE OF RESISTING ACCELERATED EROSION AND SEDIMENTATION), TEMPORARY E&S CONTROLS MAY BE REMOVED. REMOVE COMPOST FILTER SOCKS, ORANGE CONSTRUCTION FENCE, AND ANY OTHER TEMPORARY E&S CONTROLS.

# RECYCLING AND DISPOSAL OF MATERIALS/FILL MATERIALS

- 1. CONSTRUCTION WASTES (INCLUDING BUT NOT LIMITED TO EXCESS SOILS, BUILDING MATERIALS, CONCRETE WASH WATER, SANITARY WASTES, ECT.) ARE TO BE DISPOSED OF OR RECYCLED AT APPROPRIATE, PERMITTED FACILITIES.
- 2. THE CONTRACTOR MUST USE ENVIRONMENTAL DUE DILIGENCE TO ENSURE THAT THE FILL MATERIAL ASSOCIATED WITH THIS PROJECT (IF ANY) QUALIFIES AS CLEAN FILL MATERIAL. THE CONTRACTOR IS RESPONSIBLE FOR SECURING ANY REQUIRED PERMITS.
- 3. CLEAN FILL IS DEFINED AS: UNCONTAMINATED, NON-WATER SOLUBLE, NON-DECOMPOSABLE, INERT, SOLID MATERIAL. THE TERM INCLUDES SOIL, ROCK, STONE, DREDGED MATERIAL, USED ASPHALT, AND BRICK, BLOCK OR CONCRETE FROM CONSTRUCTION AND DEMOLITION ACTIVITIES THAT IS SEPERATE FROM OTHER WASTE AND IS RECOGNIZABLE AS SUCH. THE TERM DOES NOT INCLUDE MATERIALS PLACED IN OR ON THE WATERS OF THE COMMONWEALTH UNLESS OTHERWISE AUTHORIZED. (THE TERM "USED ASPHALT" DOES NOT INCLUDE MILLED ASPHALT OR ASPHALT THAT HAS BEEN PROCESSED FOR RE-USE.)
- 4. ENVIRONMENTAL DUE DILIGENCE: INVESTIGATIVE TECHNIQUE, INCLUDING, BUT NOT LIMITED TO, VISUAL PROPERTY INSPECTIONS, ELECTRONIC DATA BASE SEARCHES, REVIEW OF PROPERTY OWNERSHIP, REVIEW OF PROPERTY HISTORY, SANBORN MAPS, ENVIRONMENTAL QUESTIONAIRES, TRANSACTION SCREENS, ANALYTICAL TESTING, ENVIRONMENTAL ASSESSMENTS OR AUDITS.

# STORMWATER MANAGEMENT NOTES

1. THE PROJECT SITE WILL BE FULLY RESTORED TO EXISTING CONDITIONS AT A MINIMUM. THERE ARE NO NEW PROPOSED IMPERVIOUS AREAS. AS SUCH, PERMANENT STORMWATER MANAGEMENT AND FURTHER ANALYSIS IS NOT REQUIRED PER CHAPTER 102.8(N).

# **POTENTIAL THERMAL IMPACTS**

# SEWERLINE AREAS

• THE PROPOSED IMPROVEMENTS CONSIST OF A SEWERLINE THAT WILL BE LAID IN A TRENCH AND BACKFILLED. UPON FINAL RESTORATION ALL LAND COVERS WILL BE RETURNED TO EXISTING CONDITIONS, AND THEREFORE THERE WILL BE NO LONG TERM THERMAL IMPACTS.

# SOIL TYPES

ACCORDING TO THE SOIL SURVEY OF CENTRE COUNTY, THE SOILS ON SITE CONSIST OF THE FOLLOWING

- Hub Hublersburg Silt Loam, 8 TO 15 PERCENT SLOPE
- MrB MORRISON SANDY LOAM, 2 TO 8 PERCENT SLOPE MrC - MORRISON SANDY LOAM. 8 TO 15 PERCENT SLOPE
- MrD MORRISON SANDY LOAM, X TO X PERCENT SLOPE
  MsD MORRISON VERY STONY SANDY LOAM, 8 TO 25 PERCENT SLOPE

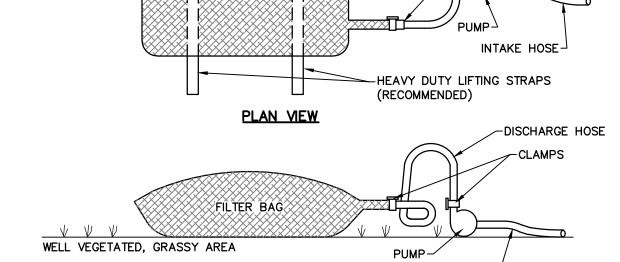
WyA - WYOMING GRAVELLY SANDY LOAM, 0 TO 5 PERCENT SLOPE

LIMITATIONS OF SOILS PERTAINING TO EARTHMOVING PROJECTS

MAP SYMBOL	SOIL NAME	CUT BANKS CAVE	CORROSIVE TO CONCRETE OR STEEL	DROUGHTY	EASILY ERODIBLE	FLOODING	DEPTH TO SATURATED ZONE/ SEASONAL HIGH WATER TABLE	HYDRIC/HYDRIC INCLUSIONS *	LOW STRENGTH/LANDSLIDE PRONE	SLOW PERCOLATION	9NIdId	POOR SOURCE OF TOPSOIL	FROST ACTION	SHRINK-SWELL	POTENTIAL SINKHOLE	PONDING	WETNESS
HuB	HUBLERSBURG SILT LOAM, 8 TO 15 PERCENT SLOPES	Х	c/s						Х	Х	X	X	X	Х			
MrB	MORRISON SANDY LOAM, 2 TO 8 PERCENT SLOPES	X	С		Х				X	X			X		X		
MrC	MORRISON SANDY LOAM, 8 TO 15 PERCENT SLOPES	X	С		Х				Х	Х			Х		Х		
MrD	MORRISON SANDY LOAM, 15 TO 25 PERCENT SLOPES	Х	С		Х				Х	Х			Х		Х		
MsD	MORRISON VERY STONY SANDY LOAM, 8 TO 25 PERCENT SLOPES	Х	С		Х				Х	Х			Х		Х		
WyA	WYOMING GRAVELLY SANDY LOAM, O TO 5 PERCENT SLOPES	Х	С	Х				Х		Х		Х	Х				

# **RESOLUTION TO SOILS LIMITATIONS**

LIMITATION	RESOLUTION
EASILY ERODIBLE	TO MINIMIZE EROSION OF SOILS PROVIDE THE FOLLOWING EROSION CONTROL DMP'S: PROVIDE DIVERSION BERMS/SWALES TO ALLOW UPSTREAM RUNOFF TO BYPASS DISTURBED AREAS UTILIZE TRACKING SLOPES, GROOVING OR SURFACE ROUGHENING TO REDUCE RUNOFF VELOCITY PROVIDE WATERBARS ON ALL SLOPES GREATER THAN 5% ACROSS THE ENTIRE RIGHT—OF—WAY PROVIDE PROTECTIVE LININGS AND SEEDING AND MULCHING IN CHANNELS PROVIDE EROSION CONTROL BLANKETS ON ALL SLOPES THAT ARE 3:1 OR STEEPER UTILIZE LEVEL SPREADERS, BENCHES, ROCK FILTERS
CUT BANKS CAVE	CONDUCT TRENCHING OPERATIONS IN ACCORDANCE WITH OSHA TECHNICAL MANUAL FOR TRENCHING.
CORROSIVE TO CONCRETE OR STEEL	PREVENTATIVE COATINGS SHALL BE USED TO PROTECT CONCRETE AND STEEL FROM CORROSION
SEASONAL HIGH WATER TABLE/ WETNESS/PONDING /SLOW PERCOLATION /HYDRIC/FLOODING	UTILIZE PUMPED WATER FILTER BAGS TO DEWATER DISTURBED AREAS
LOW STRENGTH	AVOID USING LOW STRENGTH SOILS FOR ROADWAY CONSTRUCTION. FOR CUT/FILL SLOPES, FLATTEN SLOPES, AVOID OVERLOADING, MAINTAIN LATERAL SUPPORT AND PREVENT SATURATION OF SOILS
PIPING	PROVIDE TRENCH PLUGS IN ACCORDANCE WITH THE STANDARD DETAIL.
POOR TOPSOIL/ DROUGHTY/WETNESS	PERFORM SOIL TESTS TO DETERMINE THE REQUIRED SOIL AMENDMENTS AND APPLICATION RATES. IDENTIFY SOILS ON—SITE THAT ARE ADEQUATE SOURCES OF TOPSOIL AND STOCKPILE THESE SOILS FOR USE DURING RESTORATION
BEDROCK	IF BEDROCK IS ENCOUNTERED, IT SHALL BE REMOVED BY MECHANICAL METHODS OR BLASTING. BLASTING SHALL CONFORM TO ALL LOCAL, STATE, AND FEDERAL REGULATIONS.
SHRINK/SWELL/FROST ACTION	SOILS THAT HAVE A HIGH POTENTIAL TO SWELL, SHRINK OR HEAVE MAY CAUSE DAMAGE TO ROADWAYS OR BUILDING PADS WHERE FOUNDATIONS ARE CRITICAL. REMOVE AND REPLACE SOILS WITH SUITABLE MATERIAL AS REQUIRED.



WELL VEGETATED, GRASSY AREA

INTAKE HOSE-

DISCHARGE

# NOTES:

. LOW VOLUME FILTER BAGS SHALL BE MADE FROM NON-WOVEN GEOTEXTILE MATERIAL SEWN WITH HIGH STRENGTH, DOUBLE STITCHED "J" TYPE SEAMS. THEY SHALL BE CAPABLE OF TRAPPING PARTICLES LARGER THAN 150 MICRONS. HIGH VOLUME FILTER BAGS SHALL BE MADE FROM WOVEN GEOTEXTILES THAT MEET THE FOLLOWING STANDARDS:

**ELEVATION VIEW** 

OLLOWING STANDARDS.		
PROPERTY	TEST METHOD	MINIMUM STANDARD
AVG. WIDE WIDTH STRENGTH	ASTM D-4884	60 LB/IN
GRAB TENSILE	ASTM D-4632	205 LB
PUNCTURE	ASTM D-4833	110 LB
MULLEN BURST	ASTM D-3786	350 PSI
UV RESISTANCE	ASTM D-4355	70%
AOS % RETAINED	ASTM D-4751	80 SIEVE

- 2. A SUITABLE MEANS OF ACCESSING THE BAG WITH MACHINERY REQUIRED FOR DISPOSAL PURPOSES SHALL BE PROVIDED. FILTER BAGS SHALL BE REPLACED WHEN THEY BECOME 1/2 FULL OF SEDIMENT. SPARE BAGS SHALL BE KEPT AVAILABLE FOR REPLACEMENT OF THOSE THAT HAVE FAILED OR ARE FILLED. BAGS SHALL BE PLACED ON STRAPS TO FACILITATE REMOVAL UNLESS BAGS COME WITH LIFTING STRAPS ALREADY ATTACHED.
- 3. BAGS SHALL BE LOCATED IN WELL-VEGETATED (GRASSY) AREA, AND DISCHARGE ONTO STABLE, EROSION RESISTANT AREAS. WHERE THIS IS NOT POSSIBLE, A GEOTEXTILE UNDERLAYMENT AND FLOW PATH SHALL BE PROVIDED. BAGS MAY BE PLACED ON FILTER STONE TO INCREASE DISCHARGE CAPACITY. BAGS SHALL NOT BE PLACED ON SLOPES GREATER THAN 5%. FOR SLOPES EXCEEDING 5%, CLEAN ROCK OR OTHER NON-ERODIBLE AND NON-POLLUTING MATERIAL MAY BE PLACED UNDER THE BAG TO REDUCE SLOPE STEEPNESS.
- 4. NO DOWNSLOPE SEDIMENT BARRIER IS REQUIRED FOR MOST INSTALLATIONS. COMPOST BERM OR COMPOST FILTER SOCK SHALL BE INSTALLED BELOW BAGS LOCATED IN HQ OR EV WATERSHEDS, WITHIN 50 FEET OF ANY RECEIVING SURFACE WATER OR WHERE GRASSY AREA IS NOT AVAILABLE.
- 5. THE PUMP DISCHARGE HOSE SHALL BE INSERTED INTO THE BAGS IN THE MANNER SPECIFIED BY THE MANUFACTURER AND SECURELY CLAMPED. A PIECE OF PVC PIPE IS RECOMMENDED FOR THIS PURPOSE.
- 6. THE PUMPING RATE SHALL BE NO GREATER THAN 750 GPM OR 1/2 THE MAXIMUM SPECIFIED BY THE MANUFACTURER, WHICHEVER IS LESS. PUMP INTAKES SHALL BE FLOATING AND SCREENED.
- 7. FILTER BAGS SHALL BE INSPECTED DAILY. IF ANY PROBLEM IS DETECTED, PUMPING SHALL CEASE IMMEDIATELY AND NOT RESUME UNTIL THE PROBLEM IS CORRECTED.

STANDARD CONSTRUCTION DETAIL #3-16
PUMPED WATER FILTER BAG

Herbert, Rowland & Grubic, Inc.
Engineering & Related Services
AN EMPLOYEE-OWNED COMPANY

2568 Park Center Boulevard State College, PA 16801 (814) 238-7117 Email - hrg@hrg-inc.com

www.hrg-inc.com



E&S CONTROL NOTES AND DETAILS
FOR
WHITEHALL ROAD LOW PRESSURE
SANITARY SEWER EXTENSION

CADD- MLW

CHECKED-

PROJ. MGR. — JRG

10D-04

SHEET NO.
6 OF 8

ROJECT 001178.0692

DRAWING NO.

FERGUSON TOWNSHIP

CENTRE COUNTY

PENNSYLVANIA

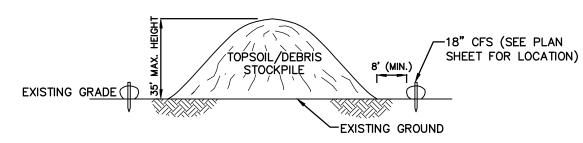
SCALE- AS NOTED

DATE- APR 2021

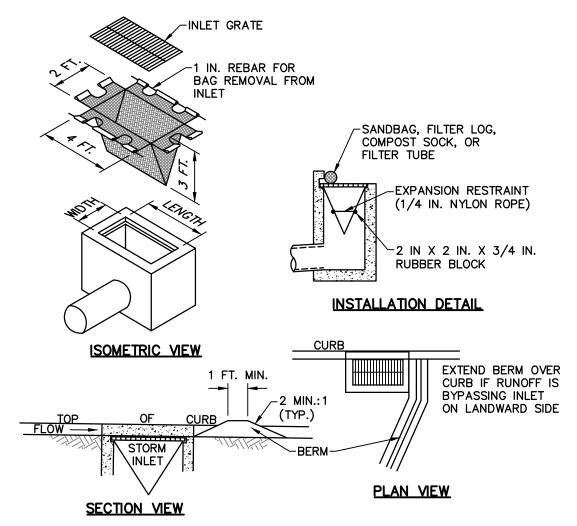
# SEEDING SCHEDULE

APPLICATION	SPECIES	%PURE LIVE SEED	APPLICATION RATE	FERTILIZER	LIMING RATE	SEEDING DATE
TEMPORARY (PENNDOT FORMULA E	ANNUAL RYE	88.2%	10 LBS./1000 SY	10-10-10 AT 100 LBS./1000 SY	1 TON/AC.	3/15 TO ¹⅓ <sub>5</sub>
PERMANENT (PENNDOT FORMULA B)	PERENNIAL RYEGRASS MIX (LOLIUM PERENNE)* KENTUCKY BLUE GRASS MIX (POA PRATENIS)** CREEPING RED FESCUE OR CHEWING FESCUE	88.2% 78.4% 83.3%	4 LBS./1000 SY 11 LBS./1000 SY 6 LBS./1000 SY	SEE NOTE 1 BELOW	6 TONS/AC.	3/15 TO 6/1 AND 9/1 TO <sup>1</sup> %5

- 1. FERTILIZER SHALL BE APPLIED IN ACCORDANCE WITH A SOIL TEST. IN THE ABSENCE OF A SOIL TEST, FERTILIZER SHALL BE APPLIED AS FOLLOWS:
- A. 10-20-20 ANALYSIS COMMERCIAL FERTILIZER AT 1000 LBS./ACRE 2. PENNDOT FORMULA SPECIFICATION ITEMS OBTAINED USING PENNDOT PUBLICATION NO. 408
- 3. ALL SEEDED AREAS SHALL BE MULCHED WITH HAY OR STRAW APPLIED AT A RATE OF 6000 LBS./AC. (1240 LBS./1000 S.Y.), MULCH TO BE ANCHORED
- WITH WOOD CELLULOSE FIBER AT 750 LBS./AC. OR EQUAL.
- 4. ALL AREAS RECEIVING SEEDING SHALL HAVE A MINIMUM OF 6" OF ORGANIC TOPSOIL. \* PERENNIAL RYEGRASS: A COMBINATION OF IMPROVED CERTIFIED VARIETIES WITH NO ONE VARIETY EXCEEDING 50% OF THE TOTAL RYEGRASS
- \*\* KENTUCKY BLUEGRASS: A COMBINATION OF IMPROVED CERTIFIED VARIETIES WITH NO ONE VARIETY EXCEEDING 25% OF THE TOTAL BLUEGRASS COMPONENT.



# **TOPSOIL/DEBRIS STOCKPILE DETAIL**



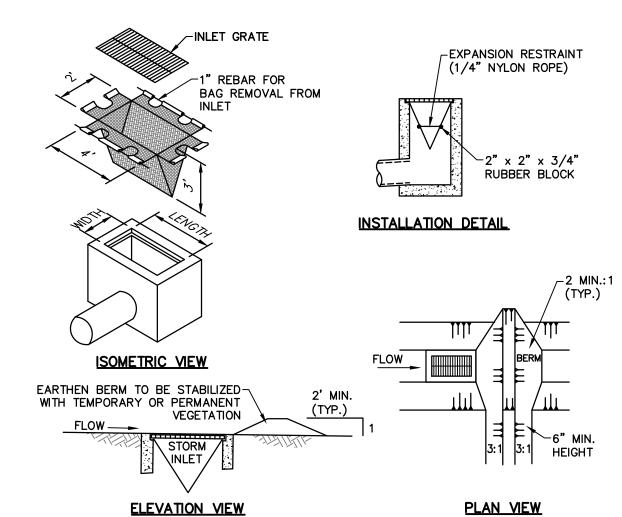
- 1. MAXIMUM DRAINAGE AREA = 1/2 ACRE.
- 2. INLET PROTECTION SHALL NOT BE REQUIRED FOR INLET TRIBUTARY TO SEDIMENT BASIN OR TRAP. BERMS SHALL BE REQUIRED FOR ALL INSTALLATIONS.
- 3. ROLLED EARTHEN BERM SHALL BE MAINTAINED UNTIL ROADWAY IS STONED. ROAD SUBBASE BERM SHALL BE MAINTAINED UNTIL ROADWAY IS PAVED. SIX INCH MINIMUM HEIGHT ASPHALT BERM SHALL BE MAINTAINED UNTIL ROADWAY SURFACE RECEIVES FINAL COAT.
- 4. AT A MINIMUM, THE FABRIC SHALL HAVE A MINIMUM GRAB TENSILE STRENGTH OF 120 LBS, A MINIMUM BURST STRENGTH OF 200 PSI, AND A MINIMUM TRAPEZOIDAL TEAR STRENGTH OF 50 LBS. FILTER BAGS SHALL BE CAPABLE OF TRAPPING ALL PARTICLES NOT PASSING A NO. 40 SIEVE.
- 5. INLET FILTER BAGS SHALL BE INSPECTED ON A WEEKLY BASIS AND AFTER EACH RUNOFF EVENT. BAGS SHALL BE EMPTIED AND RINSED OR REPLACED WHEN HALF FULL OR WHEN FLOW CAPACITY HAS BEEN REDUCED SO AS TO CAUSE FLOODING OR BYPASSING OF THE INLET. DAMAGED OR CLOGGED BAGS SHALL BE REPLACED. A SUPPLY SHALL BE MAINTAINED ON SITE FOR REPLACEMENT OF BAGS. ALL NEEDED REPAIRS SHALL BE INITIATED IMMEDIATELY AFTER THE INSPECTION. DISPOSE OF ACCUMULATED SEDIMENT AS WELL AS ALL USED BAGS ACCORDING TO THE PLAN NOTES.
- 6. DO NOT USE ON MAJOR PAVED ROADWAYS WHERE PONDING MAY CAUSE TRAFFIC HAZARDS.

# STANDARD CONSTRUCTION DETAIL #4-15 FILTER BAG INLET PROTECTION - TYPE C INLET

DATE

BY

NOT TO SCALE



- 1. MAXIMUM DRAINAGE AREA = 1/2 ACRE.
- 2. INLET PROTECTION SHALL NOT BE REQUIRED FOR INLET TRIBUTARY TO SEDIMENT BASIN OR TRAP. BERMS SHALL BE REQUIRED FOR ALL INSTALLATIONS.
- 3. ROLLED EARTHEN BERM IN ROADWAY SHALL BE MAINTAINED UNTIL ROADWAY IS STONED. ROAD SUBBASE BERM ON ROADWAY SHALL BE MAINTAINED UNTIL ROADWAY IS PAVED. EARTHEN BERM IN CHANNEL SHALL BE MAINTAINED UNTIL PERMANENT STABILIZATION IS COMPLETED OR REMAIN PERMANENTLY.
- 4. AT A MINIMUM, THE FABRIC SHALL HAVE A MINIMUM GRAB TENSILE STRENGTH OF 120 LBS., A MINIMUM BURST STRENGTH OF 200 PSI, AND A MINIMUM TRAPEZOIDAL TEAR STRENGTH OF 50 LBS. FILTER BAGS SHALL BE CAPABLE OF TRAPPING ALL PARTICLES NOT PASSING A NO.
- 5. INLET FILTER BAGS SHALL BE INSPECTED ON A WEEKLY BASIS AND AFTER EACH RUNOFF EVENT. BAGS SHALL BE EMPTIED AND RINSED OR REPLACED WHEN HALF FULL OR WHEN FLOW CAPACITY HAS BEEN REDUCED SO AS TO CAUSE FLOODING OR BYPASSING OF THE INLET. DAMAGED OR CLOGGED BAGS SHALL BE REPLACED. A SUPPLY SHALL BE MAINTAINED ON SITE FOR REPLACEMENT OF BAGS. ALL NEEDED REPAIRS SHALL BE INITIATED IMMEDIATELY AFTER THE INSPECTION. DISPOSE ACCUMULATED SEDIMENT AS WELL AS ALL USED BAGS ACCORDING TO THE PLAN NOTES.
- 6. DO NOT USE ON MAJOR PAVED ROADWAYS WHERE PONDING MAY CAUSE TRAFFIC HAZARDS.

STANDARD CONSTRUCTION DETAIL #4-16 FILTER BAG INLET PROTECTION - TYPE M INLET NOT TO SCALE

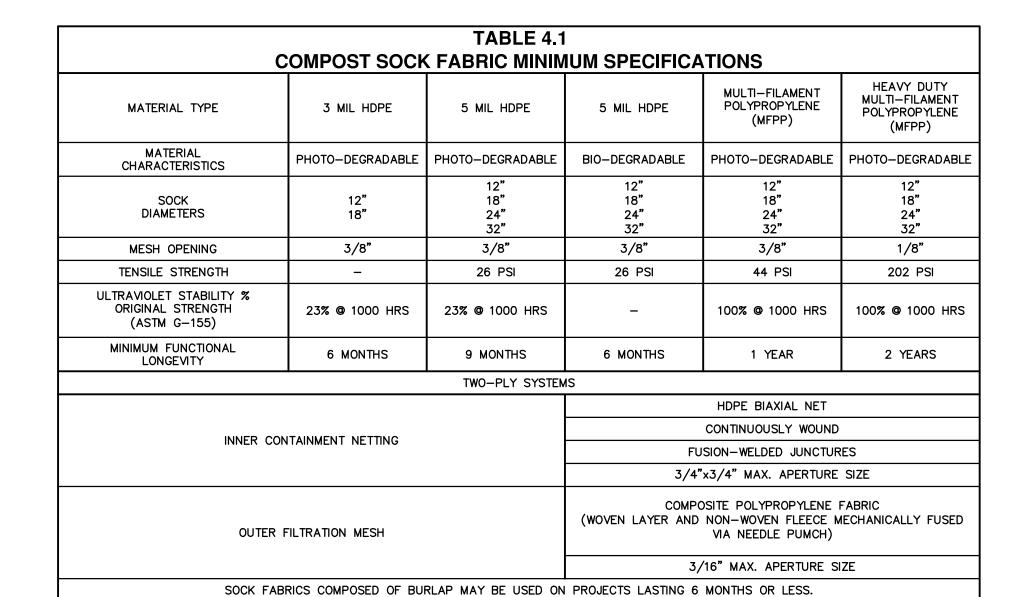
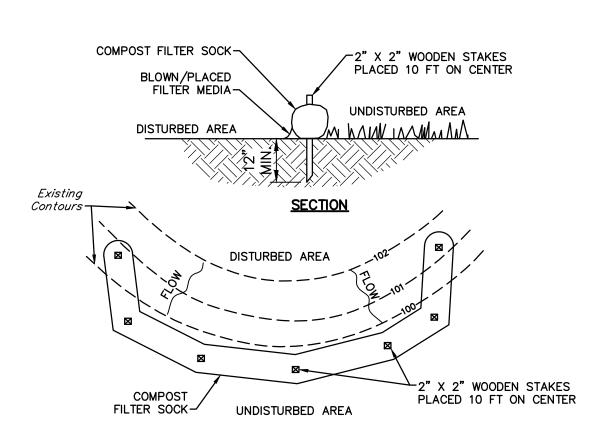


TABLE 4.2 COMPOST STANDARDS			
ORGANIC MATTER CONTENT	25% - 100% (DRY WEIGHT BASIS)		
ORGANIC PORTION	FIBROUS AND ELONGATED		
рН	5.5 - 8.5		
MOISTURE CONTENT	30% - 60%		
PARTICLE SIZE	30% - 50% PASS THROUGH 3/8" SIEVE		
SOLUBLE SALT CONCENTRATION	5.0 dS/m (mmhos/cm) MAX.		

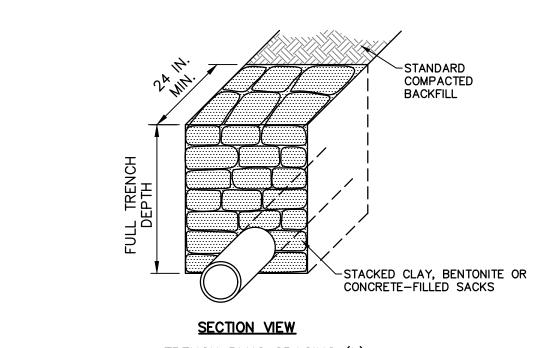


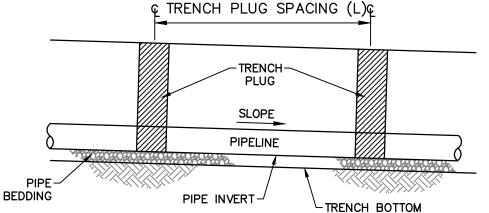
1. SOCK FABRIC SHALL MEET STANDARDS OF TABLE 4.1 OF THE PA DEP EROSION CONTROL MANUAL. COMPOST SHALL MEET THE STANDARDS OF TABLE 4.2 OF THE PA DEP EROSION

PLAN VIEW

- 2. COMPOST FILTER SOCK SHALL BE PLACED AT EXISTING LEVEL GRADE. BOTH ENDS OF THE SOCK SHALL BE EXTENDED AT LEAST 8 FEET UP SLOPE AT 45 DEGREES TO THE MAIN SOCK ALIGNMENT. MAXIMUM SLOPE LENGTH ABOVE ANY SOCK SHALL NOT EXCEED THAT SHOWN ON FIGURE 4.2. STAKES MAY BE INSTALLED IMMEDIATELY DOWNSLOPE OF THE SOCK IF SO SPECIFIED BY THE MANUFACTURER.
- 3. TRAFFIC SHALL NOT BE PERMITTED TO CROSS COMPOST FILTER SOCKS.
- 4. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT REACHES 1/2 THE ABOVE GROUND HEIGHT OF THE SOCK AND DISPOSED IN THE MANNER DESCRIBED ELSEWHERE IN THE PLAN.
- 5. SOCKS SHALL BE INSPECTED WEEKLY AND AFTER EACH RUNOFF EVENT. DAMAGED SOCKS SHALL BE REPAIRED ACCORDING TO MANUFACTURER'S SPECIFICATIONS OR REPLACED WITHIN
- 6. BIODEGRADABLE FILTER SOCKS SHALL BE REPLACED AFTER 6 MONTHS; PHOTODEGRADABLE SOCKS AFTER 1 YEAR. POLYPROPYLENE SOCKS SHALL BE REPLACED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
- 7. UPON STABILIZATION OF THE AREA TRIBUTARY TO THE SOCK, STAKES SHALL BE REMOVED. THE SOCK MAY BE LEFT IN PLACE AND VEGETATED OR REMOVED. IN THE LATTER CASE, THE MESH SHALL BE CUT OPEN AND THE MULCH SPREAD AS A SOIL SUPPLEMENT.

STANDARD CONSTRUCTION DETAIL #4-1 COMPOST FILTER SOCK NOT TO SCALE





# PROFILE VIEW

PA DEP EROSION CONTROL MANUAL TABLE 13.1 MAXIMUM SPACING AND MATERIALS FOR TRENCH PLUGS			
TRENCH SLOPE (%)	SPACING L (FT)	PLUG MATERIAL	
< 5	1000	* CLAY, BENTONITE, OR CONCRETE FILLED SACKS	
5 - 15	500	* CLAY, BENTONITE, OR CONCRETE FILLED SACKS	
15 - 25	300	* CLAY, BENTONITE, OR CONCRETE FILLED SACKS	
25 - 35	200	* CLAY, BENTONITE, OR CONCRETE FILLED SACKS	
35 - 100	100	* CLAY, BENTONITE, OR CONCRETE FILLED SACKS	
> 100	50	CEMENT BAGS (WETTED) OR MORTARED STONE	
* TOPSOIL MAY NOT BE USED TO FILL SACKS			

IMPERVIOUS TRENCH PLUGS ARE REQUIRED FOR ALL STREAM, RIVER, WETLAND, OR OTHER

WATER BODY CROSSINGS. STANDARD CONSTRUCTION DETAIL #13-4 TYPICAL UTILITY LINE STREAM CROSSING TRENCH PLUG INSTALLATION

NOT TO SCALE

**PENNSYLVANIA** 

**REVISION** 



2568 Park Center Boulevard State College, PA 16801 (814) 238-7117 Email - hrg@hrg-inc.com

www.hrg-inc.com



**E&S CONTROL NOTES AND DETAILS** 

FOR
WHITEHALL ROAD LOW PRESSURI
SANITARY SEWER EXTENSION

**CENTRE COUNTY** 

FERGUSON TOWNSHIP

CADD- MLW CHECKED-SCALE- AS NOTED

DESIGN- BRB

PROJ. MGR. — JRG

DRAWING NO. 10D-05 SHEET NO. 7 OF 8

PROJECT 001178.0692

# U.S. Fish and Wildlife Service **National Wetlands Inventory**

# NWI - Whitehall Road



June 11, 2021

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

#### Project Search ID: PNDI-735387

### 1. PROJECT INFORMATION

Project Name: UAJA Whitehall Road Low Pressure Sewer System R001178.0692 Ph C Permitting

Date of Review: 5/28/2021 10:54:32 AM

Project Category: Waste Transfer, Treatment, and Disposal, Liquid waste/Effluent, Sewer line (new -

construction in new location)

Project Area: **6.80 acres** County(s): **Centre** 

Township/Municipality(s): FERGUSON TOWNSHIP

ZIP Code:

Quadrangle Name(s): STATE COLLEGE

Watersheds HUC 8: **Bald Eagle**Watersheds HUC 12: **Slab Cabin Run**Decimal Degrees: **40.763964**, **-77.870713** 

Degrees Minutes Seconds: 40° 45' 50.2720" N, 77° 52' 14.5654" W

# 2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate no known impacts to threatened and endangered species and/or special concern species and resources within the project area. Therefore, based on the information you provided, no further coordination is required with the jurisdictional agencies. This response does not reflect potential agency concerns regarding impacts to other ecological resources, such as wetlands.

# UAJA Whitehall Road Low Pressure Sewer System R001178.0692 Ph C Permitting

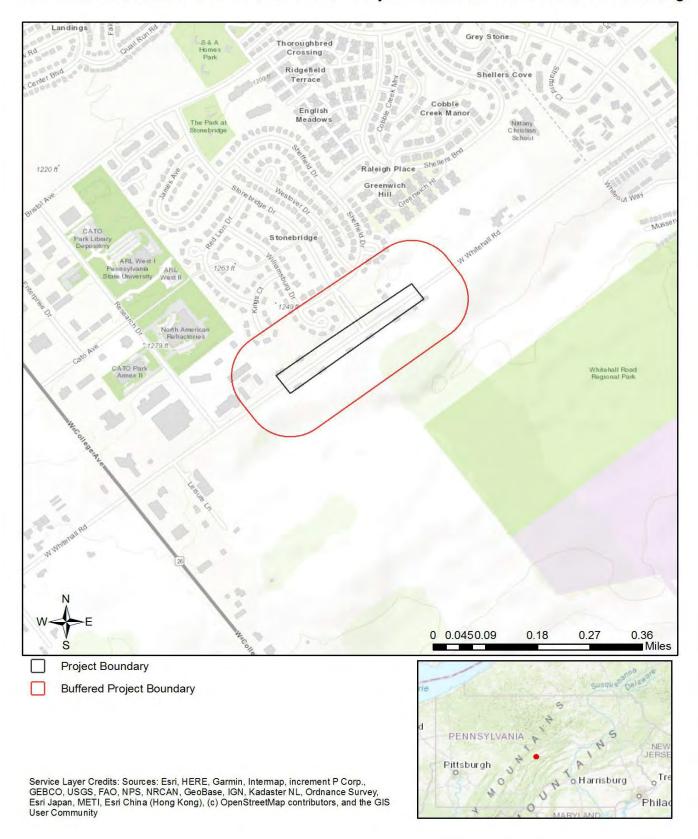


Project Boundary

Buffered Project Boundary

Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

# UAJA Whitehall Road Low Pressure Sewer System R001178.0692 Ph C Permitting



# 3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

# **PA Game Commission**

#### **RESPONSE:**

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

# PA Department of Conservation and Natural Resources RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

# **PA Fish and Boat Commission**

#### **RESPONSE:**

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

# U.S. Fish and Wildlife Service

# RESPONSE:

No impacts to **federally** listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq. is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

### 4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. Two review options are available to permit applicants for handling PNDI coordination in conjunction with DEP's permit review process involving either T&E Species or species of special concern. Under sequential review, the permit applicant performs a PNDI screening and completes all coordination with the appropriate jurisdictional agencies prior to submitting the permit application. The applicant will include with its application, both a PNDI receipt and/or a clearance letter from the jurisdictional agency if the PNDI Receipt shows a Potential Impact to a species or the applicant chooses to obtain letters directly from the jurisdictional agencies. Under concurrent review, DEP, where feasible, will allow technical review of the permit to occur concurrently with the T&E species consultation with the jurisdictional agency. The applicant must still supply a copy of the PNDI Receipt with its permit application. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. The applicant and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at https://conservationexplorer.dcnr.pa.gov/content/resources.

Project Search ID: PNDI-735387

#### Project Search ID: PNDI-735387

### 5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (<a href="www.naturalheritage.state.pa.us">www.naturalheritage.state.pa.us</a>). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

#### 6. AGENCY CONTACT INFORMATION

# PA Department of Conservation and Natural Resources

Bureau of Forestry, Ecological Services Section 400 Market Street, PO Box 8552 Harrisburg, PA 17105-8552

Email: RA-HeritageReview@pa.gov

#### **PA Fish and Boat Commission**

Division of Environmental Services 595 E. Rolling Ridge Dr., Bellefonte, PA 16823 Email: RA-FBPACENOTIFY@pa.gov

#### U.S. Fish and Wildlife Service

Pennsylvania Field Office Endangered Species Section 110 Radnor Rd; Suite 101 State College, PA 16801 Email: <u>IR1\_ESPenn@fws.gov</u>

NO Faxes Please

#### **PA Game Commission**

Bureau of Wildlife Habitat Management Division of Environmental Planning and Habitat Protection

2001 Elmerton Avenue, Harrisburg, PA 17110-9797

Email: RA-PGC PNDI@pa.gov

**NO Faxes Please** 

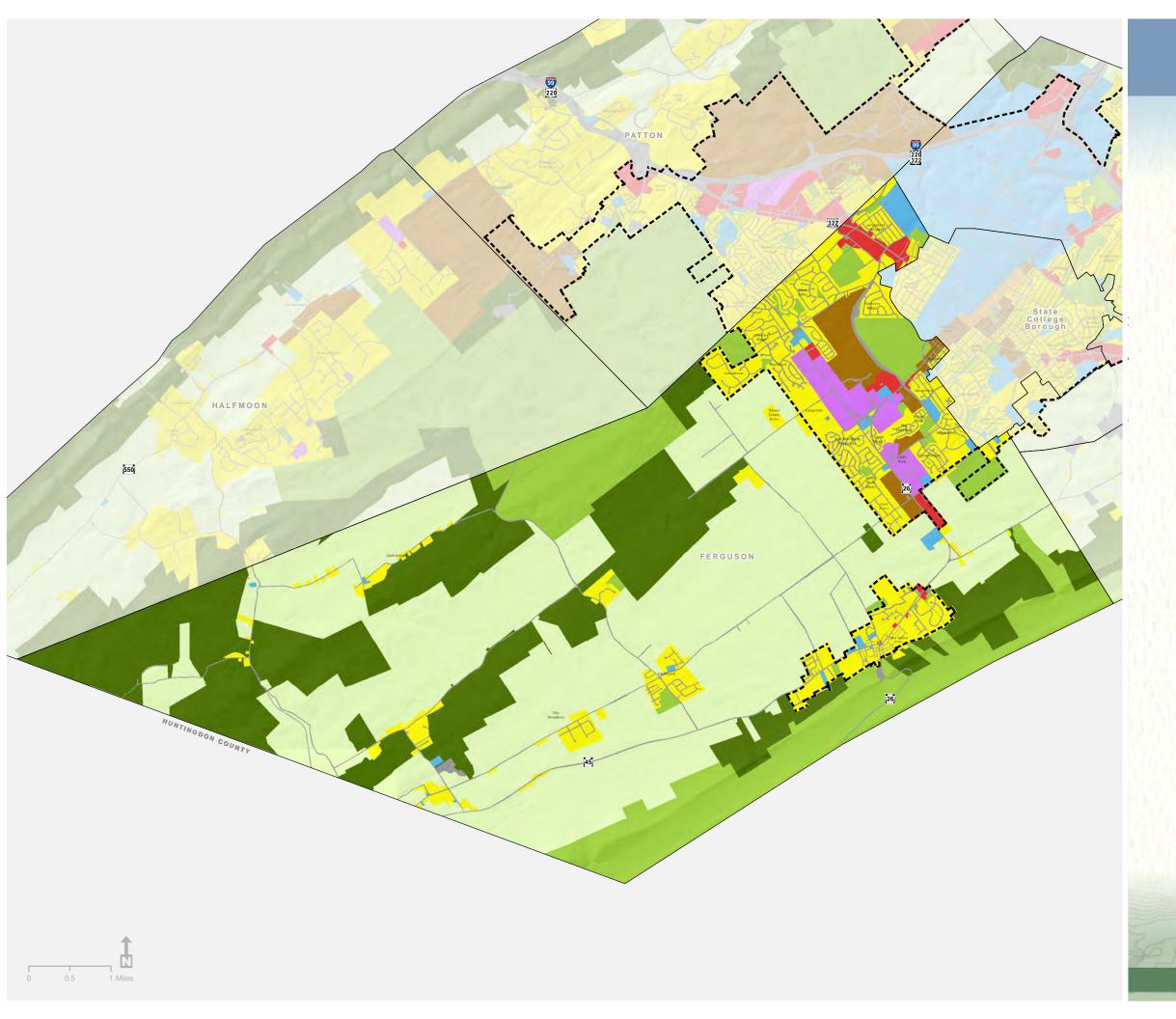
# 7. PROJECT CONTACT INFORMATION

Name: Shelby M. McVey		and with	260000 000
Company/Business Name: Herbert, Address: 2568 Park Center B	Rowland	& Grubic,	Inc.
Address: 2568 Park Center B	oulevard		
City, State, Zip: State College,	PA 16801		
Phone: (814) 238-7117	Fax:(	)	
Email: smcvey@hrg-inc.com	-7 \ X/A	200	100

# 8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

Shellay M. Molley	May 28, 2021
applicant/project proponent signature	date



# The Centre Region Comprehensive Plan

# Future Land Use Ferguson Township





Projection: PA State Plane NAD 83, North Zone repared by: Steven Arnold - Geospatial Technology Prograr at Penn State for the Centre Regional Planning Agency Date: 7/22/2013

Data Source: Centre County GIS, USGS, The Centre Regional Planning Agency, Geospatial Technology Program at Penn State.

June 9, 2021

Shelby McVey Herbert, Rowland & Grubic, Inc. 2568 Park Center Boulevard State College PA 168013005

RE: ER Project # 2021PR04611.001, University Area Joint Authority - Whitehall Road Low Pressure Sanitary Sewer Extension, Department of Environmental Protection, Ferguson Township, Centre County

Dear Shelby McVey:

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

#### **Above Ground Resources**

No Above Ground Concerns - Environmental Review - No Effect - Above Ground

Thank you for submitting information concerning the above-referenced project. There may be above ground historic properties within the project area of potential effect. However, in our opinion the project as proposed will have no effect on historic properties, should they exist. Should the scope of the project change and/or should you be made aware of historic property concerns, you will need to notify the PA SHPO at pashare@pa.gov and provide the revised designs for review and comment.

For questions concerning above ground resources, please contact Sara-Ladd Clark at saralclark@pa.gov.

#### **Archaeological Resources**

No Archaeological Concerns - Environmental Review - No Effect - Archaeological

Thank you for submitting information concerning the above-referenced project. There is a high probability that archaeological resources are located in this project area. Based on the information received and available in our files, in our opinion, the activity described in your proposal should have no effect on such resources. Should the scope of the project be amended to include additional ground disturbing activity and/or should you be made aware of historic property concerns, you will need to notify the PA SHPO at pashare@pa.gov. A Phase I Archaeological Survey may be necessary to locate all potentially significant archaeological resources.

For questions concerning archaeological resources, please contact Sara-Ladd Clark at saralclark@pa.gov.

Sincerely,

Douglas C. McLearen

Chief Division of Environmental Review

# Section J. Alternative Analysis

- 1. The existing dwelling units are currently served by on-lot disposal systems and the property owner's desire to be connected to the public sewer system. Given the topography and the location of existing sanitary sewer facilities, the only practical approach is to install a low-pressure sewer system.
  - The UAJA has existing gravity collection/conveyance facilities in close proximity; however, based on existing elevations, these two homes could not be served by a gravity lateral. Furthermore, the Spring Creek Pollution Control Facility is a NPDES permitted advanced wastewater treatment plant.
- 2. Land adjacent to the proposed project area are of residential use. Structures within the sewer service area adjacent to the project area are already served by the UAJA. There are six residential dwelling units on the south side of Whitehall Road that are served by onlot disposal systems that are outside of the sewer service area.
- 3. The adjacent sewage facilities are not in need of improvement due to high rates of on-lot malfunctions.
- 4. There are no reasonable alternative sewage collection technologies or routes for this project.
- 5. The proposed method of disposal was the only feasible method based on environmental, technical and economic parameters.
- 6. The UAJA will own, operate, and maintain the sewer facilities proposed by this project.

#### Section L. Institutional Evaluation

Herbert, Rowland and Grubic, Inc. (HRG) will provide design and professional engineering services for the project to assist with the acquisition of necessary permits for the proposed facilities. The UAJA will construct, own, operate and maintain the proposed facilities. The UAJA will be responsible for complying with all applicable water quality standards.

The UAJA's staff has extensive experience constructing, operating, and maintaining sanitary sewer systems. As such, UAJA's staff will construct, operate, and maintain the proposed facilities. Retained engineering consultants will assist UAJA's staff with the design and permitting of the proposed facilities.



Friday, June 4, 2021 HRG Project: R001178.0692



Section M. Project Cost and Funding Analysis

		1				
		Estimated	Unit Of			
NO.	Description	Quantity	Measure	UNIT PRI	Œ	Extension
GENER.	AL					
1	MOBILIZATION AND PROJECT MANAGEMENT	1	L.S.	\$ 6,	570	\$ 6,670
2	TRAFFIC MAINTENANCE AND PROTECTION	1	L.S.	\$ 2,	779	\$ 2,779
3	EROSION AND SEDIMENTATION CONTROLS	1	L.S.	\$ 1,	112	\$ 1,112
4	CLEARING AND GRUBBING	1	L.S.	\$	556	\$ 556
FORCE	MAIN AND LOW PRESSURE SEWER MANHOLES AND APPURTENANCES					
28	TERMINAL CLEANOUT - LOW PRESSURE SEWER	1	EA.	\$ 2,	423	\$ 2,423
FORCE	MAIN AND LOW PRESSURE SEWER PIPE AND APPURTENANCES					
29	2" HDPE LOW PRESSURE SEWER MAIN	1,240	L.F.	\$	59	\$ 73,022
30	1.25" HDPE LOW PRESSURE LATERAL	92	L.F.	\$	47	\$ 4,334
31	LOW PRESSURE LATERAL CONNECTION TO 2" MAIN	2	EA.	\$	745	\$ 1,490
32	LOW PRESSURE LATERAL CURB STOP AND CHECK VALVE ASSEMBLY	2	EA.	\$	668	\$ 1,336
GRIND	ER PUMP STATIONS					
33	GRINDER PUMP STATION - SIMPLEX	2	EA.	\$ 5,	535	\$ 11,071
SURFA	CE RESTORATION					
34	VEGETATIVE RESTORATION	1,286	L.F.	\$	6	\$ 7,373
35	PAVED DRIVEWAY - PRIVATE	0	L.F.	\$	38	\$ -
36	PAVED ROAD - MUNICIPAL	46	L.F.	\$	50	\$ 2,289
37	IMPROVED SURFACE, ROAD, SHOULDER, DRIVEWAY, PARKING AREA	0	L.F.	\$	23	\$ -
38	TEMPORARY ASPHALT SURFACE RESTORATION	0	L.F.	\$	10	\$ -
MISCEL	LANEOUS					
39	CLAY DIKE	3	EA.	\$	260	\$ 780
40	12" SLCPP DRIVEWAY DRAINAGE PIPE REPLACEMENT	5	L.F.	\$	48	\$ 240
41	ADDITIONAL UNCLASSIFIED EXCAVATION	25	C.Y.	\$	42	\$ 1,042
42	UNSUITABLE BEARING MATERIAL REPLACEMENT	25	C.Y.	\$	64	\$ 1,603
43	ADDITIONAL AGGREGATE BACKFILL	50	TON	\$	35	\$ 1,736
44	MISCELLANEOUS CONCRETE INSTALLATION	10	C.Y.	\$	242	\$ 2,421
			TOTAL			\$122,300



University Area Joint Authority Whitehall Road Low Pressure Sanitary Sewer Extension

Contract: General Construction

Friday, June 4, 2021

HRG Project: R001178.0692

# Section M. Project Cost and Funding Analysis

Milestone	Estimated Date of Completion	
PRELIMINARY AND FINAL DESIGN	June 2021	
SUBMISSION OF PERMITS	June 2021	
CONSTRUCTION	June 2022	

## SEWAGE FACILITIES PLANNING MODULE

Section O. Public Comments

#### **PUBLIC NOTICE**

#### Ferguson Township

#### WHITEHALL ROAD LOW PRESSURE SANITARY SEWER EXTENSION

This notice is to inform the public that this project will involve the extension of a 2-inch low pressure sanitary sewer main to serve two existing residential properties along Whitehall Road in Ferguson Township located adjacent to the Stonebridge Development. User fees are estimated at \$104 per EDU. Homes with existing on-lot systems will be converted to low-pressure systems by extending the nearby sewer main. This project will be open for public comment and review at the Ferguson Township Municipal Building for a period of 30 days beginning June 21, 2021 through July 21, 2021.

Ferguson Township Municipal Building 3147 Research Drive State College, PA 16801



# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF CLEAN WATER

DEP Code #:	

## SEWAGE FACILITIES PLANNING MODULE COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW

<b>Note to Project Sponsor:</b> To expedite the review of your proposal, one copy of your completed planning module package and one copy of this <i>Planning Agency Review Component</i> should be sent to the local municipal planning agency for their comments.			
SECTION	V A.	PROJI	ECT NAME (See Section A of instructions)
Project N			
Whitehall	Road	Low Pr	essure Sanitary Sewer Extension
			W SCHEDULE (See Section B of instructions)
	-		by municipal planning agency 7   1   20 2
			eted by agency
SECTION	1 C.	AGEN	CY REVIEW (See Section C of instructions)
Yes	No		
Ø		1.	Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, et seq.)? Centra Region Comp Flan
$\boxtimes$		2.	Is this proposal consistent with the comprehensive plan for land use?
			If no, describe the inconsistencies
$\boxtimes$		3.	Is this proposal consistent with the use, development, and protection of water resources?
			If no, describe the inconsistencies
$\triangleright$		4.	Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?
	X	5.	Does this project propose encroachments, obstructions, or dams that will affect wetlands?
			If yes, describe impacts
	Q	6.	Will any known historical or archaeological resources be impacted by this project?
			If yes, describe impacts
	X	7.	Will any known endangered or threatened species of plant or animal be impacted by this project?
			If yes, describe impacts
$\boxtimes$		8.	Is there a municipal zoning ordinance?
×		9.	Is this proposal consistent with the ordinance?
			If no, describe the inconsistencies
		10.	Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?
Ø		11.	Have all applicable zoning approvals been obtained?
		12.	Is there a municipal subdivision and land development ordinance?

#### 3850-FM-BCW0362A 6/2016

SECTION C. AGENCY REVIEW (continued)
Yes No
☐ 13. Is this proposal consistent with the ordinance?
If no, describe the inconsistencies
☑ 14. Is this plan consistent with the municipal Official Sewage Facilities Plan?
If no, describe the inconsistencies
15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality?
If yes, describe
16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
☐ ☐ If yes, is the proposed waiver consistent with applicable ordinances?
If no, describe the inconsistencies
17. Name, title and signature of planning agency staff member completing this section:
Name: Kristing Aneckstein
Title: Community Flanger
Signature:
Date: $\frac{7/31}{2021}$
Date: 7/31/2021  Name of Municipal Planning Agency: Ferguson Townships  Address 3147 Research Dr State College, PA 16803
Address 3147 RESEGREN De State Collège, PA 16803
Telephone Number: (814) 238 - 4651
SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)
This component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.
The planning agency must complete this component within 60 days.
This component and any additional comments are to be returned to the applicant.



# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF CLEAN WATER

DEP Code #:	

# SEWAGE FACILITIES PLANNING MODULE COMPONENT 4B - COUNTY PLANNING AGENCY REVIEW

### (or Planning Agency with Areawide Jurisdiction)

PROJECT NAME (See Section A of instructions)   Project Name   Whitehall Road Low Pressure Sanitary Sewer Extension	<b>Note to Project Sponsor:</b> To expedite the review of your proposal, one copy of your completed planning package and one copy of this <i>Planning Agency Review Component</i> should be sent to the county planning agency or planning agency with areawide jurisdiction for their comments.			
Section B.   Review Schedule (See Section B of instructions)   Date plan received by county planning agency   \$\omega	SECTI	ON A.	PF	ROJECT NAME (See Section A of instructions)
Section B. Review Schedule (See Section B of instructions)   Date plan received by county planning agency   230-202	Project	t Name	Э	
1. Date plan received by county planning agency	<u>Whiteh</u>	all Ro	ad Lo	w Pressure Sanitary Sewer Extension
2. Date plan received by planning agency with areawide jurisdiction	SECTI	ON B.	RI	EVIEW SCHEDULE (See Section B of instructions)
Agency name	1. [	Date p	an re	ceived by county planning agency
3. Date review completed by agency	2. [	Date pl	lan re	ceived by planning agency with areawide jurisdiction
3. Date review completed by agency	A	Agency	/ nam	e Centre Regional Planning Agency
Yes No				
1. Is there a county or areawide comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101 et seq.)? Centre Region Comp Plan   2. Is this proposal consistent with the comprehensive plan for land use?   3. Does this proposal meet the goals and objectives of the plan?   If no, describe goals and objectives that are not met	SECTI	ON C.	AC	GENCY REVIEW (See Section C of instructions)
2. Is this proposal consistent with the comprehensive plan for land use?   3. Does this proposal meet the goals and objectives of the plan?   If no, describe goals and objectives that are not met	Yes	No	-	
□ 3. Does this proposal meet the goals and objectives of the plan?  If no, describe goals and objectives that are not met  □ 4. Is this proposal consistent with the use, development, and protection of water resources?  If no, describe inconsistency  □ 5. Is this proposal consistent with the county or areawide comprehensive land use planning relative to Prime Agricultural Land Preservation?  If no, describe inconsistencies:  □ 0 6. Does this project propose encroachments, obstructions, or dams that will affect wetlands?  If yes, describe impact  □ 7. Will any known historical or archeological resources be impacted by this project?  If yes, describe impacts  □ 8. Will any known endangered or threatened species of plant or animal be impacted by the development project?  If yes, describe impacts  □ 9. Is there a county or areawide zoning ordinance?  □ 10. Does this proposal meet the zoning requirements of the ordinance?			1.	
If no, describe goals and objectives that are not met  4. Is this proposal consistent with the use, development, and protection of water resources?  If no, describe inconsistency  5. Is this proposal consistent with the county or areawide comprehensive land use planning relative to Prime Agricultural Land Preservation?  If no, describe inconsistencies:  Does this project propose encroachments, obstructions, or dams that will affect wetlands?  If yes, describe impact  If yes, describe impacts  Will any known historical or archeological resources be impacted by this project?  If yes, describe impacts  Will any known endangered or threatened species of plant or animal be impacted by the development project?  If yes, describe impacts  9. Is there a county or areawide zoning ordinance?  Does this proposal meet the zoning requirements of the ordinance?	Ø		2.	Is this proposal consistent with the comprehensive plan for land use?
4. Is this proposal consistent with the use, development, and protection of water resources?   If no, describe inconsistency			3.	Does this proposal meet the goals and objectives of the plan?
If no, describe inconsistency				If no, describe goals and objectives that are not met
5. Is this proposal consistent with the county or areawide comprehensive land use planning relative to Prime Agricultural Land Preservation?  If no, describe inconsistencies:  6. Does this project propose encroachments, obstructions, or dams that will affect wetlands?  If yes, describe impact  7. Will any known historical or archeological resources be impacted by this project?  If yes, describe impacts  8. Will any known endangered or threatened species of plant or animal be impacted by the development project?  If yes, describe impacts  9. Is there a county or areawide zoning ordinance?  10. Does this proposal meet the zoning requirements of the ordinance?			4.	Is this proposal consistent with the use, development, and protection of water resources?
Prime Agricultural Land Preservation?  If no, describe inconsistencies:    G. Does this project propose encroachments, obstructions, or dams that will affect wetlands?  If yes, describe impact    Will any known historical or archeological resources be impacted by this project?  If yes, describe impacts    Will any known endangered or threatened species of plant or animal be impacted by the development project?  If yes, describe impacts    Yes, describe impacts    Secribe impacts    Ones this proposal meet the zoning requirements of the ordinance?				If no, describe inconsistency
□ □ 6. Does this project propose encroachments, obstructions, or dams that will affect wetlands?  If yes, describe impact	Ø		5.	
If yes, describe impact				If no, describe inconsistencies:
The state of the ordinance?  Will any known historical or archeological resources be impacted by this project?  If yes, describe impacts  Will any known endangered or threatened species of plant or animal be impacted by the development project?  If yes, describe impacts  9. Is there a county or areawide zoning ordinance?  Does this proposal meet the zoning requirements of the ordinance?		$\square$	6.	Does this project propose encroachments, obstructions, or dams that will affect wetlands?
If yes, describe impacts				If yes, describe impact
NA   Will any known endangered or threatened species of plant or animal be impacted by the development project?    Will any known endangered or threatened species of plant or animal be impacted by the development project?    If yes, describe impacts   9.   Is there a county or areawide zoning ordinance?    NA   10.   Does this proposal meet the zoning requirements of the ordinance?			7.	Will any known historical or archeological resources be impacted by this project?
project?  If yes, describe impacts  9. Is there a county or areawide zoning ordinance?  10. Does this proposal meet the zoning requirements of the ordinance?			_	If yes, describe impacts
9. Is there a county or areawide zoning ordinance?  NA 0 10. Does this proposal meet the zoning requirements of the ordinance?			8.	· · · · · · · · · · · · · · · · · · ·
□ NÅ □ 10. Does this proposal meet the zoning requirements of the ordinance?				If yes, describe impacts
			9.	Is there a county or areawide zoning ordinance?
If no, describe inconsistencies	□NA		10.	Does this proposal meet the zoning requirements of the ordinance?
				If no, describe inconsistencies

SECTION C.	AC	SENCY REVIEW (continued)
Yes No		
	11.	Have all applicable zoning approvals been obtained?
<b>d</b> 0	12.	Is there a county or areawide subdivision and land development ordinance?
□ NA □	13.	Does this proposal meet the requirements of the ordinance? municipal ordinances
		If no, describe which requirements are not met 5 4 per ce dos
	14.	Is this proposal consistent with the municipal Official Sewage Facilities Plan?
,		If no, describe inconsistency
	,15.	Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality?
		If yes, describe
	16.	Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
□ NA □		If yes, is the proposed waiver consistent with applicable ordinances.
		If no, describe the inconsistencies
	17.	Does the county have a stormwater management plan as required by the Stormwater Management Act? Spring Creek watershed Plan
		If yes, will this project plan require the implementation of storm water management measures?
	18.	Name, Title and signature of person completing this section:
		Name: Coneu Rilk
		Title: Senior Planner
		Signature:Can_DR-
		Date:
		Name of County or Areawide Planning Agency: <u>Centre Regional Planning Agency</u> Address: <u>2643 Gatenay Drive State College PA 16801</u>
		Telephone Number: 814 -23i - 30 50
SECTION D.	ΑI	DDITIONAL COMMENTS (See Section D of instructions)
This componenthe proposed	ent d plan	oes not limit county planning agencies from making additional comments concerning the relevancy of to other plans or ordinances. If additional comments are needed, attach additional sheets.
The county p	lannir	ng agency must complete this component within 60 days.
This compone	ent ar	nd any additional comments are to be returned to the applicant.

#### RESOLUTION FOR PLAN REVIEW

RESOLUTION OF THE SUPERVISORS OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act," as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted there under, Chapter 71 of Title 25 of the **Pennsylvania Code**, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality, and

WHEREAS, Herbert, Rowland & Grubic, Inc. has prepared a Sewage Facilities Planning Module for Minor Act 537 which identifies the extension of low pressure sanitary sewer main in a portion of Ferguson Township, and

The Module specifically identifies the extension of the existing low pressure sanitary sewer main line along Whitehall Road. The extended sanitary sewer infrastructure will provide service to existing customers in Ferguson Township.

WHEREAS, Ferguson Township finds that the Facility Plan described above conforms to applicable zoning, subdivision, other municipal ordinances and plans and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Supervisors of Ferguson Township hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Plan" of the municipality, the above referenced Facility Plan. The municipality hereby assures the Department of the complete and timely implementation of the said plan as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended).

I,	, Secretary, Ferguson Township, hereb
	of the Township's Resolution No, adopted
LIBERTY TOWNSHIP SUPERVIORS	MUNICIPAL SEAL
	ATTEST:
	-

# ReImagine Appalachia

#### A NEW DEAL THAT WORKS FOR US

Appalachians have a long history of hard work, resilience, and coming together to face enormous challenges. Our region is a place of ingenuity. A place where families and neighbors look out for one another.

Now is the time to put our ingenuity to use and imagine a 21st century economy that works for the people in the Ohio River Valley of Appalachia. An economy that is good for working people, communities, our health and the health of our neighbors. One that is grounded in the land and centered on creating wealth locally. One that relies on working people, already skilled in service, industry, trades and farming. One that offers hope to the next generation's workers—regardless of the color of their skin, ethnicity or gender. And one that does our region's part to meet the nation's climate challenge, just as we met the call to provide coal energy to fuel a growing nation a century ago.

Right now, our nation is in crisis. We face the COVID epidemic, a deep economic downturn, extreme inequality, racism, police brutality, and the consequences of a changing climate such as severe storms and flooding. These crises demand from us real, lasting and structural change. It is not a matter of if, but when. When the nation rises to the occasion, people in Appalachia need to be at the table and helping to lead the charge. Together, we can build a vision for the Appalachia we want to live in.

Federal economic stimulus and national climate change legislation present opportunities to bring much needed federal resources into the region. Appalachia deserves its fair share.

For more than two centuries, corporations have extracted enormous wealth from our region for the profit of owners and shareholders while the region is left with high rates of poverty, unemployment and low wages. In the past, the people of Appalachia organized and rose up together to demand shared prosperity and improve their lives by fighting to end 72-hour work weeks, dangerous

working conditions and low wages.

Despite these successes, absentee corporations continue to drain wealth from Appalachia. They use their power and influence to get policymakers to rig the rules in their favor, enabling their bad behavior: paying too many people in our region too little, abandoning their reclamation responsibilities and worker pensions, polluting our air and water, and making their workers and our neighbors sick, particularly Black, Indigenous and other communities of color. Coal corporations have left their mark on Appalachia, but in many ways, the people who live here have never truly reaped the benefits from our immense natural resources.

The people of the region, with the right federal resources, can build a 21st century Appalachia, where everyone has a good-paying job with good benefits and responsible employers help protect the environment and the health of the people who live in it.

We are building a framework to ReImagine **Appalachia**. This blueprint incorporates voices from across the region. The effort was convened by Policy Matters Ohio, a state-focused economic and policy research institute, and its sister organizations in West Virginia, Pennsylvania and Kentucky (West Virginia Center on Budget and Policy, Keystone Research Center and Kentucky Center for Economic Policy). We built off the grassroots effort to ReImagine Beaver County. PennFuture, West Virginia Rivers Coalition, Ohio Interfaith Power and Light, Breathe Project and the National Wildlife Federation were also key partners. We captured the expertise of both grasstop and grassroot leaders to reimagine the region in a virtual two-day convening as well as listening sessions for union leaders, racial and community justice advocates, environmental groups and others. The framework has already been endorsed by over 50 organizations representing the voices of residents across the four states of the Ohio River Valley—Ohio. West Virginia, Pennsylvania and Kentucky.

The conversations continue: Please add your voice to the vision and help us make the vision a reality.



### A NEW DEAL THAT WORKS FOR US WOULD:

## 1. Expand opportunity through public investments:





Maximize good union jobs.



Provide fossil fuel workers with genuine opportunities doing the work.



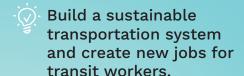
Ensure access to union jobs for Black, Indigenous, women and low-wage workers.



Ensure community benefits from federal investments via public input and community oversight.

## 2. Build a 21st Century sustainable Appalachia:

- Restore our damaged lands and waters.
- Modernize the electric grid:
  Decentralize generation, increase use of clean energy and expand broadband.
- Grow manufacturing by making it cleaner and more efficient while also making Appalachia a hub for electric vehicle production and alternatives to single-use plastic.





Revive the Civilian Conservation Corps: Reforest the region, restore wetlands, promote regenerative agriculture and eco-tourism while simultaneously absorbing greenhouse gases with natural landscapes.

## 3. Rebuild the middle class:





Promote union rights, better pay, benefits and local ownership models for working people across all industries in the region.



### **Expand opportunity through** public investments

Transforming Appalachia into a 21st century sustainable economy—one that is good for workers, communities and our health—will require significant federal resources. We can and should accept nothing less given the immense wealth extracted from Appalachia over the past centuries. The Ohio River Valley of the Appalachian region has fueled the prosperity of other regions while we have suffered. Many of our communities rank in the bottom 10 percent nationally for their high unemployment and poverty rates and low incomes. The public investments needed in our region must come with strings attached to make sure they maximize good union jobs, ensure coal workers have a secure future, and build career ladders

We can and should

less given the im-

accept nothing

mense wealth

extracted from

Appalachia over

the past

centuries.

Maximize good union jobs.

for new entrants into the

workforce

Federal policymakers should attach requirements to public funds to maximize creation of good union jobs and require greater diversity and inclusion in our future workforce. Publicly-funded construction projects must require project labor agreements, prevailing wages and apprentice-utilization

requirements, with a large share

of apprentices coming from

low-income, underrepresented communities. Publicly-subsidized companies—in construction and more permanent work—must also be required to honor workers' freedom to unionize and provide diverse workers the opportunity to enter rewarding careers in the unionized trades.

Ensure genuine opportunities for fossil fuel workers. The region's workforce can pivot to meet the needs of our 21st century economy. We just need to recognize that workers in extractive industries—mine workers, union electricians, laborers and other trades—have foundational skills that remain critically important in the work going

forward. Fossil fuel workers should be targeted for new opportunities created from public investments.

Create access to good union jobs for low-wage workers, regardless of race or gender. Jobs

created from public investments should give priority in hiring and training to coal workers, women, and Black, Indigenous and brown workers shut out by past discrimination in hiring, education, or opportunity. To fully harness the region's potential, the future of the Appalachian workforce must reflect the diversity of the Appalachian community. As in the rest of America, the contribution of these communities hasn't been acknowledged or valued. This must change. The new Appalachian economy must be built on basic principles of justice. Other communities have made these values real through targeted community benefit agreements and policies. Any large projects funded with public dollars should require a percentage of union apprentices to come from low-income

neighborhoods near project sites and for registered pre-apprenticeship programs managed via the pipeline of diverse workers into union work.

Require public input and oversight of these federal investments. To set priorities for publicly-funded construction projects, state and local governments should create regional Community Benefit Advisory Panels. Federal policy guidance is needed for these Advisory Panels. They must include union labor, contractor,

environmental, and community representatives, in addition to relevant public officials. They should be charged with considering a proposal's emissions reduction benefits as well as health, racial, and social equity impacts. Any identified negative impact of a project must be mitigated. They should establish responsible contractor policies to ensure workers have rights on the job, and to develop hiring pipelines and registered pre-apprenticeship opportunities. Over time, the Advisory Panel can study best practices and implement new policies based on lessons learned.

set aside 2% of any project's resources labor-community partnerships to build

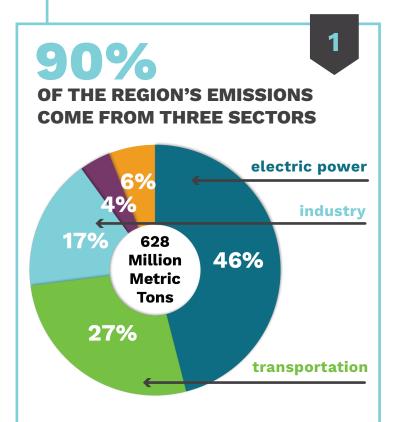




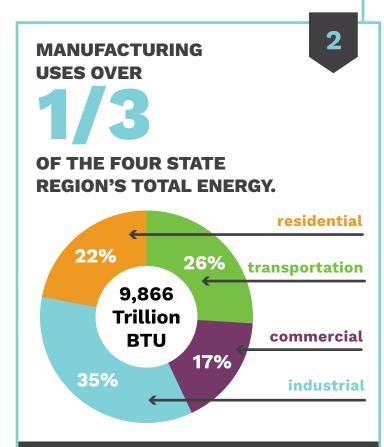
**Build a 21st century sustainable economy** 

Appalachia can meet the climate challenge—achieving carbon neutrality by 2050—by first identifying where our emissions come from, how we use energy and where we spend our energy dollars.

Whether it's for industries to operate or for families to heat their

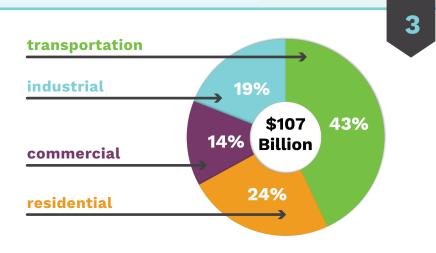


The electric power industry in Appalachia's Ohio River Valley—Ohio, Pennsylvania, West Virginia, and Kentucky—accounts for 17% of all U.S. electric sector emissions.



Factories run machines and tools by pulling in

NEARLY HALF (43%)
OF THE \$107 BILLION
SPENT ON ENERGY
IN 2017, ACROSS OUR
FOUR-STATE
REGION, GOES TO
FUEL CARS AND
TRUCKS.



homes, run errands or go to school and work, consuming energy is expensive. With the right investments in our energy systems, we can use our energy resources more wisely while saving money to pay our workers better or the rent. A 21st century sustainable, energy-wise economy in Appalachia requires aggressive upgrades to our electric grid, investments in the next generation of manufacturing, and a modern transportation system. We don't have to eliminate every single ton of greenhouse gas to achieve carbon neutrality by 2050. Appalachia's rich natural landscapes can absorb carbon via reforestation and wetland restoration while growing local farms and food networks.

#### Repair the damage done over the last century.

We must demand our public officials take care of people who contracted black lung disease and other chronic health problems while working in extractive industries, and we must demand they hold the responsible corporations accountable. These workers must be able to retire with dignity, with the health care they need as well as the retirement pensions they deserve.

With federal funding, Appalachian communities can reclaim and remediate abandoned coal mines and coal ash ponds left behind at shuttered power plants, putting them back to good use while cleaning up the Ohio River and its watershed tributaries. Orphaned oil and gas wells must also be capped.

Climate change is already causing damage in the Ohio River Valley. Severe storms have damaged our infrastructure and flooded our homes, communities, and farms, and made people sick. Heat waves exacerbate asthma, cause heat exhaustion and dehydration, impacting seniors, infants, children and pregnant women in particular. Longer and more intense allergy seasons while flooding contaminates our drinking water, increases rates of Lyme disease and mosquito-borne illnesses, affects farm crop yields and access to healthy foods.

The public investments we make today to stem climate change will pay off in the long run by protecting our health and the health of future generations. In the short run, we must demand our leaders address the climate impacts we face today. For example, making our electric grid less susceptible to outages and storm damage can create good union jobs by putting people to work. Repairing dams to control flooding and investing in

building natural infrastructure to absorb water overflows will require a workforce with a variety of skills. Solving the climate crisis is a reemployment plan for the Ohio River Valley and an investment in the region's future.

Modernize the electric grid. The Rural Electrification Program, a New Deal innovation, brought electricity to rural areas in Appalachia and the South, where there was no market or financial incentive for private capital to invest. This publicly funded venture transformed the region and built many of the electric co-ops that still serve Appalachian communities today. It also left many behind. Co-op boards and utility coverage frequently excluded Black residents as well as white residents from more remote parts of the region, deepening race and class inequality.

It is time for an upgrade: the Rural Grid Modernization Program. Policymakers must invest in a modern rural grid that brings efficient and affordable energy to industries and families. Like the Rural Electrification Program, this program will create tens of thousands of construction, maintenance and utility jobs. Unlike the Rural Electrification Program, this time policymakers must make sure the investment benefits all of us, no matter what we look like or where we live.

Appalachia helps power the nation, but the electric grid in our region needs a serious upgrade. Three lumps of coal generate only one lump worth of electric power. We waste the others in generation and transmission, increasing costs and unnecessarily polluting the air we breathe. It makes us broke and sick. We need a smarter grid, with more efficient and decentralized generation built by union labor, including utility-scale solar farms on remediated brownfields. We also need investments in energy storage for renewable resources.

High quality, affordable broadband is foundational for a prosperous 21st century Appalachia. Children and families—and the local businesses, schools and health care institutions that serve them—require broadband to ensure their well-being. All Appalachians, regardless of their income or race, must be able to access the internet. Universal broadband is also necessary for a smart grid.

Residential and small business energy efficiency programs create a win-win-win by reducing energy usage and emissions, lowering energy bills and creating jobs. The federal Weatherization Assistance Program is an example of how public policies can

solve problems for both people and the environment. The program improves homes of people with low incomes, helping them make ends meet by saving on energy costs. We can also enlist folks in low-income communities to help do the work at prevailing wages. This program should be significantly expanded.

#### Invest in cleaner and more efficient

manufacturing. Our vision expands manufacturing in Appalachia. Shuttered coal plants can be repurposed into eco-industrial parks that use circular manufacturing methods to turn one company's waste into another's raw material. Coal plant boilers and turbines at existing sites can be repurposed for combined heat and power purposes, providing a more efficient way to meet the heat and power needs of manufacturers, by capturing waste heat generated during the production of electricity. Industrial assessment centers and manufacturing energy partnerships can provide low-cost industrial energy audits and energy-efficiency training for the workforce. To help manufacturers modernize, the federal government should also promote labor-management partnerships and manufacturing apprenticeships.

With public funding to retool existing facilities, Appalachia could be a hub for creating the responsible products of the future, such as alternatives to single-use plastic, green building materials, or the electric vehicle supply chain. As the world demands more socially and environmentally conscious products, we are well-positioned to rise to the occasion. Plastic alternatives can even be made from farm-grown resources in the region, such as industrial hemp.

Unfair trade practices and policies encourage corporations to hold down workers' wages and cut corners on protecting our health and the environment. Federal policymakers should enact a border tax on countries that have lower wage, safety and environmental standards than the U.S. It's time to take the high road with our trade policies rather than taking part in a race to the bottom.

Appalachia has all the tools to be an economic powerhouse—from repurposing the infrastructure of the past, to building the products of the future. We can prosper while protecting workers and the environment.

**Build a sustainable transportation system.** In 2017, nearly half of the \$107 billion spent on energy across our region went toward transportation—

about \$47 billion. Most of it pays for fuel imported from elsewhere. Federal policymakers can help us build local wealth and put tens of thousands of people to work upgrading existing rail and laying new lines for an Appalachian corridor, expanding public transportation and building electric vehicle infrastructure such as charging stations. These are investments policymakers should start making now. The shift to electric vehicles also needs to include consumer subsidies (e.g. "cash for clunkers") so that rural farmers, public transit systems, construction trades, and other workers with long commutes can afford these more efficient electric vehicles and stop sinking considerable shares of the family budget into the high cost of gas. An Appalachian rail corridor, connecting rural areas to the urban core, can provide a less expensive form of transportation for longer-distance travel, while reducing the energy dollars we spend on petroleum products imported from outside the region.

Absorb carbon with natural landscapes, revive the Civilian Conservation Corp. With its abundance of trees, wetlands, farmland and plants, Appalachia is rich in carbon-absorbing natural resources. Investments in our natural infrastructure to support "carbon farming" would move us toward carbon neutrality by absorbing more greenhouse gases. Public spending on natural infrastructure could also create cheaper, better ways to protect and purify our water supply, support nature-based recreation and tourism and grow the local economy. Prior generations made similar investments.

During the Great Depression, the New Deal's Civilian Conservation Corps put 3 million unemployed people (including 85,000 Native Americans) to work planting over 3 billion trees, restoring 80 million acres of farmland and about 4,000 historic structures, and much, much, more. We must resurrect this federal job creation program.

Reviving the New Deal's Civilian Conservation Corps could put people to work restoring wetlands, planting millions of diverse, native plants and trees (especially hardwoods and food trees), reforesting the region and removing the most invasive trees and shrubs. A modern CCC could protect the climate, create decent work, restore the land and improve public health by promoting healthier diets. Local organic farming can provide food to families in the food-insecure areas of Appalachia. We need to enhance the availability, affordability and familiarity of locally grown and plant-based foods.

Instead of giving away subsidies to big ag corporations that degrade the land, federal policymakers can foster regenerative farming practices and support local farmers and food networks. Regenerative agriculture—e.g. planting cover crops, reducing pesticides, capturing animal-produced methane, and other organic methods that increase biodiversity—can yield more income and lower expenses for farmers, while also absorbing carbon in our soil. Sustainable practices are a natural fit for the region's farmers, who do not want to harm the land they pass to future generations.

The value of the Civilian Conservation Corps program could be increased by targeted hiring of returning citizens caught up in the ill-considered "war on drugs" and opioid crisis, incarcerated for being sick with addiction rather than getting the treatment they needed. Public investments can protect the environment, restore our health, and rebuild lives

## ReImagine **Appalachia**

## Rebuild the middle class: Union rights, better pay, local ownership

Even in a sustainable, 21st century Appalachia, most jobs, and a large share of low-wage jobs, will continue to be in service and other local industries tied to our communities where their customers and workers live. These industries include many businesses employing essential workers—such as health care, grocery and retail stores, restaurants, distribution and package delivery, and early childhood education. These industries also employ a large share of women, many of whom are Black, Indigenous and other people of color. We cannot restore shared prosperity or achieve racial and gender justice without improving the pay and benefits of these jobs. We must demand our policymakers substantially raise the minimum wage and give workers in all industries the freedom to

collectively bargain to raise their wages and improve their benefits. Our workforce also needs access to universal health and child care

The only way to rebuild the middle class is by building from the bottom-up. Policy should also support multiple forms of local ownership, including cooperatives, worker ownership, and networks. And going forward, these workplaces must be located in areas more accessible by public transit and connected to safe routes for people who bike and walk, like rural town centers.

#### THE CAMPAIGN: A NEW DEAL THAT WORKS FOR APPALACHIA

The campaign to Reimagine Appalachia is building a better future for our region. For decades, we have been denied this future by policies crafted by and for distant corporations and the wealthiest 1%. Some of these corporations may pose as blue-collar workers' friends, but finance anti-worker, anti-union, anti-environment policies designed to keep us struggling and divided while lining their pockets. Even before the coronavirus, if you asked most working people in our region "Is this economy working for you?" they would answer: "No."

Appalachia can do better—and should—but not by believing extractive corporations that failed us for a century will finally share prosperity in the 2020s. Never have. Never will.

Appalachia has all the right ingredients to lead the United States toward economic recovery. Our region can build a strong and lasting economy based on investments in a clean economic future that puts workers first, respects our communities, takes care of the land, and grows local wealth.

#### **Bottom line**

The work of Reimagine Appalachia is time sensitive. Federal policymakers are already designing stimulus and infrastructure packages to lift us out of the COVID depression, work that is likely to intensify after the presidential election. In addition, long-overdue debates about climate legislation and racial justice are intensifying.

The United States will rebuild and retool—it is already starting —and it is vital that the people of Appalachia have a say in how that happens. Appalachia needs to be at the table or we will be on the menu.

It's time. Let's create a New Deal that WORKS for us.

Join with us to help reimagine Appalachia into the world we want to live in and leave to our future generations. Visit ReImagineAppalachia.org to learn how.



#### List of current endorsers

Alliance of Nurses for Healthy Environments

Appalachian Citizens' Law Center (ACLC)

Appalachian Headwaters

Appalachian Mountain Advocates

Appalachian Voices

Appalshop

Art of Pieces

Ashtabula County Young Democrats

Athens County's Future Action Network

Battle of Homestead Foundation

BCMAC-Beaver County Marcellus Awareness Community

Better Path Coalition Bike Pittsburgh

Black Women Rising

Breathe Project

Center for Energy & Sustainable Development,

WVU College of Law

Central Appalachian Network Children's Defense Fund-Ohio

Clean Air Council

Climate Reality Pittsburgh

Coalfield Development

Communities First Sewickley Community Farm Alliance

Concerned Ohio River Residents Congress on Faith and Justice

Data for Justice

Defensores de la Cuenca

Dream Corps

Eastern PA Coalition for Abandoned Mine Reclamation

Earth Conservancy

Earthworks

Ensemble Wind and Solar

Evangelical Environmental Network

Environmental Entrepreneurs (E2) Foundation for PA Watersheds

For West Virginia's Future

FracTracker

Freshwater Accountability Project

Global Institute for Sustainable Prosperity (GISP)

Green Building Alliance Green Party Allegheny County

Group Against Smog and Pollution Institute for Sustainable Power

Izaak Walton League of America-Allegheny County

Kanawha Valley National Organization for Women

Kentucky Conservation Committee

Kentucky Center for Economic Policy

Kentucky Interfaith Power & Light

Kentucky Resources Council, Inc.

Kentucky Waterways Alliance Keystone Research Center

Landforce

Marcellus Outreach Butler County

Mid-Ohio Valley Climate Action

Moms Clean Air Force-West Virginia

MomsRising

Mountain State Justice

National Association of Social Workers, Ohio Chapter

National Association of Social Workers,

West Virginia Chapter

The Natural History Museum

New Morning Energy, LLC

National Commonwealth Group

National Wildlife Federation

Natural Resources Defense Council

Ohio Environmental Council

Ohio Interfaith Power & Light

Ohio Valley Environmental Coalition

One Worker One Vote

Optimize Renewables LLC

PASA Sustainable Agriculture

PennFuture

Pennsylvania Budget and Policy Center

Pennsylvania Council of Churches

Pennsylvania Solar Center

Planned Parenthood South Atlantic

Plant-Based Pittsburgh

Plant Five for Life

Policy Matters Ohio

Powhatan Point Church of the Nazarene

Praxia Partners

Protect Allegheny County

Protect PT (Penn-Trafford)

Radical Joy for Hard Times

Reconnecting McDowell

ReImagine Beaver County

ReImagine Butler County

Revolt Energy

River Valley Organizing

RiverWise

Slippery Rock University Sustainable Enterprise Accelerator

Solar United Neighbors Sprout Farms Corp

SWPA PA Cancer and Environment Collaborative Network SWPA Environmental Health Project

Spectrum Family Practice

Student Conservation Association

Sustainable Monroeville

Sustainable Pittsburgh

Thrive At Life: Working Solutions

Trumbull Neighborhood Partnership

University of Pittsburgh- Graduate School of Public and

International Affairs

Vegan Spirituality- Southwest PA

Vincentian Ohio Action Network

West Liberty University

West Virginia Center on Budget & Policy

West Virginia Environmental Council

West Virginia Headwaters Waterkeeper

West Virginia Interfaith Power and Light West Virginia National Organization of Women

West Virginia Rivers Coalition

West Virginia University Center for Resilient Cities

Women for a Healthy Environment

WV Citizen Action





May 14, 2021

David Pribulka Manager Ferguson Township 3147 Research Drive State College, PA 16801

RE: Ferguson Township: Engagement for Cable Franchise Renewal and Franchise Fee Audit with Windstream

Dear David:

Thank you and Ferguson Township for considering our law firm to conduct cable franchise renewal negotiations and a franchise fee audit of Windstream D & E Systems, Inc. ("Windstream"). In accordance with our normal practice and the Code of Professional Conduct for attorneys in Pennsylvania, I would like to outline our fee arrangement. This engagement is made pursuant to the Proposal to Perform Cable Franchise Renewal Services ("Proposal") dated May 14, 2021. In addition to the project benefits, scope of services, and professional background of our firm, the Proposal includes a cost of services on a flat fee basis.

While our firm's typical flat fee for these projects is \$11,000, if the Township joins with State College Borough, we will apply a 15% discount such that **the flat fee for Ferguson Township is \$9,350.** This fee does not include expenses, such as copying and postage, which are kept to a minimum. We bill in three installments, with the first one-third due upon invoice at the start of the project, the second one-third due at the middle of each project, and the final one-third due at the conclusion of each project. If the terms of this engagement are acceptable, please have sign this letter and email a copy back to me. Thank you for your consideration.

Sincerely yours,	Accepted on Behalf of Ferguson Township:
	Signature:
Phillip M. Fraga	Print:
	Title:
	Date:



#### PROPOSAL TO PERFORM

#### **CABLE FRANCHISE RENEWAL SERVICES**

#### submitted to

### STATE COLLEGE BOROUGH AND FERGUSON TOWNSHIP

by the

**COHEN LAW GROUP** 

413 South Main Street Pittsburgh, PA 15215

www.cohenlawgroup.org

(412) 447-0130

MAY 14, 2021

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#### I. INTRODUCTION

The Cohen Law Group ("CLG") welcomes this opportunity to submit a proposal for legal services to assist State College Borough and Ferguson Municipalities (the "Municipalities") in cable franchise renewal negotiations and a franchise fee audit of Windstream D & E Systems, Inc. ("Windstream"). Our understanding is that the current franchise agreements with Windstream are expected to expire next year. As such, now is the time to begin the franchise renewal process. Franchise renewal is the best opportunity for the Municipalities to obtain significant benefits and to assert its legal rights with its cable company.

There have been dramatic changes in video technology since the commencement of the Municipalities' current cable franchise agreements nearly 10 years ago, including the expansion of digital technology, high definition (HD) format, the growth in video-on-demand programming, and, perhaps most important, internet-based video services (also referred to as video streaming or "over-the-top" technology) such as Netflix, Hulu and Disney+. In addition, there have been major changes in the operations of Windstream as the company is experiencing more competition today than it did when the Municipalities' current agreement went into effect.

Finally, there have been important changes in federal law and regulations applicable to cable franchising since that time. For example, in 2019, the Federal Communications Commission ("FCC") issued its *Third Report and Order on Cable Franchising*. The *Order* represents the FCC's most consequential new regulations in the cable franchising arena and makes fundamental changes to cable franchise negotiations by local governments.

Municipal officials have three critical roles when it comes to renewing (or, in the rare circumstance, not renewing) a cable franchise. First, they are effectively the landlords of their cable company. The cable company utilizes the municipality's public rights-of-way to operate its

cable system. Municipal officials manage those rights-of-way as a public trust and are entitled to a fair return for the cable company's use of those public properties.

Second, municipal officials have an obligation to protect and advance the interests of their residents. This means not only getting the best possible services from the cable operator today, but also doing everything possible to prepare for the future. Video technology changes very rapidly. A cable franchise agreement must provide for the benefits available from existing technologies as well as those that may become available from future technologies.

Third and finally, municipal officials are consumers of telecommunications services in all three forms -- voice, video and data. From internet access at Municipalities Building to television service at the Fire Station, municipalities use a wide range of telecommunications services. They are entitled, therefore, to the most efficient, state-of-the-art services at the best possible prices.

Our law firm is uniquely qualified to represent the Municipalities in cable franchise renewal negotiations. For over 23 years, our firm has specialized in cable franchise matters on behalf of local governments, and we have negotiated more franchise agreements than any other law firm in Pennsylvania and surrounding states. We have represented over 500 municipalities in six states in negotiations with their cable companies. We have also had the privilege of representing State College Borough and Ferguson Township in prior cable franchise negotiations.

The principal of the firm is Dan Cohen. He has assisted local governments in cable, wireless, and broadband issues for over 25 years. He is a Board member of the National Association of Telecommunications officers and Advisors ("NATOA"), which is the national organization that advocates for local governments in these fields. Aside from his credentials as a telecommunications attorney, Mr. Cohen is especially qualified to represent municipalities, because he was a municipal official himself. As a member of the Pittsburgh City Council for 12

years prior to founding CLG, he understands the practical needs and the financial constraints facing municipalities. In addition, CLG includes a strong team consisting of attorney Phil Fraga, attorney Stacy Browdie, attorney Mike Roberts, attorney Joel Winston, and office manager Akila Iyer.

CLG has developed a three-step approach to cable franchise renewal projects. The first step is identifying the client's specific needs. Since clients' needs often become better defined as the negotiation progresses, we maintain flexibility throughout the process to achieve a franchise agreement that accomplishes the client's specific goals. Second, we negotiate firmly and deliberately with the cable operator in order to reach agreement in a timely fashion. Finally, we work efficiently to achieve results that are cost effective for the client. We are keenly aware of the fiscal constraints facing municipalities, and focus on keeping attorneys' fees as low as possible.

#### II. POTENTIAL FRANCHISE BENEFITS

There are significant benefits available to municipalities in a cable franchise renewal agreement. The key to receiving these benefits is to know the law and regulations relating to each benefit and to negotiate from strength to obtain them from the cable operator. The following is a list of some of the more important potential benefits:

1. Franchise Fee Revenue. Under federal law, municipalities may assess a franchise fee of up to 5% of the cable company's "gross revenues" for cable services derived from the municipality. The central subject of negotiation with the cable operator is the specific revenue sources to be included in the definition of "gross revenues." CLG has developed a comprehensive list that now includes 27 eligible

- revenue sources. Please note that franchise fees are passed through to cable customers as a separate line item on their bills.
- 2. Franchise Fee Accountability. In addition to franchise fee revenue, it is also important for municipalities to require franchise fee accountability. In a franchise agreement, these include detailed franchise fee reports with each payment, the right to conduct franchise fee audits with penalties for underpayments, and protections against franchise fee reductions due to bundled service discounts (referred to as the "triple play" of internet, television, and telephone services).
- 3. Legal Protections of the Rights-of-Way. Because cable companies place wires and equipment in the public rights-of-way, it is critical that the franchise agreement include legal protections for the municipality. These include repair and restoration of property damage within a specified time frame, emergency removal of equipment, indemnification, and full insurance coverage.
- 4. PEG Channels. Municipalities have a legal right under federal law to dedicated channel space for public, educational and governmental ("PEG") programming. PEG Channels may be used to inform citizens by broadcasting government meetings, public safety alerts, and announcements regarding local government, community, and athletic activities. The Municipalities are both members of the Centre Area Cable Consortium and share a PEG channel on the Comcast system. As such, the Windstream agreement should also include a dedicated

- PEG channel, as well as enhancements such as high definition (HD), electronic program menu titles, and a possible PEG support grant.
- 5. Customer Service Standards. In a franchise agreement, municipalities may impose customer service standards to which the cable operator must adhere. It is important to include comprehensive and enforceable standards. Examples include telephone answering time limits for cable company operators, refunds for service interruptions, appointment windows for technician visits, and rules for resolving customer billing disputes.
- 5. Reporting Requirements. It can be helpful to obtain periodic information from the cable operator related to financial and customer service issues. A franchise agreement may require the cable operator to provide written reports on such matters as franchise fee verification, customer service complaints, and construction activity in the public rights-of-way.
- **6. Enforcement.** Once the cable operator agrees to provide certain benefits to the Municipalities, the Municipalities must be able to enforce these obligations. Practical enforcement tools are needed to ensure that the company meets its contractual obligations. These may include monetary fines, a performance bond, and the right to revoke the franchise in extreme cases.
- **7. Competitive Equity.** Cable operators typically request that, if another cable company (i.e. Comcast) provides cable services in the

Municipalities and the Municipalities grants it a franchise agreement, then that agreement cannot be more favorable to the competitor than the current agreement is to Windstream. While in theory this is a fair principle, in practice it can impede cable competition. We will ensure that any such provision does not result in such an outcome.

9. Length of Term. Because video technology changes rapidly, municipalities typically seek a shorter length of franchise term. Cable companies typically seek longer terms to protect their capital investment in the cable system. The difference between these two positions is resolved through negotiation.

#### III. SCOPE OF SERVICES

The following is the scope of services that the Cohen Law Group will perform if hired to assist the Municipalities in cable franchise renewal with Windstream.

#### **A.** Preliminary Setting of Priorities

We will first arrange a virtual meeting to kick off the project. We will describe the franchise renewal process, including both the formal and informal processes prescribed by the federal Cable Act. We will inform the Municipal officials about their legal rights, including the substantive areas in which they have legal authority over the cable operator and those areas in which their legal authority is limited. We will outline the potential benefits to the Municipalities and solicit the concerns of the officials with respect to Windstream. Finally, we will provide the Municipalities with a public notice and written talking points for a public hearing on cable

franchise renewal. Section 626 of the Cable Act includes a "notice and comment" requirement, which is typically satisfied by a public hearing inviting citizen input.

During this preliminary phase, we recommend that the Municipalities perform a franchise fee audit to determine whether Windstream has paid them all the franchise fee revenue to which they are entitled. Franchise renewal is the best time to conduct an audit, because, if underpayments are found, the Municipalities has more leverage to collect the underpayments. The scope of services for a franchise fee audit is discussed below.

#### **B.** Franchise Fee Audit

During the preliminary stage, we recommend that the Municipalities perform a franchise fee audit of Windstream. CLG performs such audits on a regular basis. In 2017-20, we performed over 100 franchise fee audits and discovered underpayments over 60% of the time. The Cable Act authorizes municipalities to assess up to 5% of the cable operator's "gross revenues" for cable services derived from the municipality. "Gross revenues" consists of many revenue sources, including both subscriber and non-subscriber revenues. We will prepare a written Request for Information and Documents ("RFID") to Windstream for specific franchise fee financial information relevant to each Municipality. CLG will then do the following:

- Make a determination of all eligible revenue sources for each Municipality based upon the municipality's current definition of "gross revenues."
- Review Windstream 's supporting documentation for franchise fee revenue, including quarterly spreadsheets, worksheets, and other revenue reports for each Municipality.
- Identify the revenue sources that the cable operator has included in its franchise fee documentation. Determine whether the cable operator has applied the fee to all eligible revenue sources. Identify any revenue sources to which the municipality is entitled, but which the cable operator did not include in calculating "gross revenues."
- Ensure that all eligible revenues recorded in Windstream's financial records are accurately included in the franchise fee payments in accordance with the Municipalities' franchise agreement.

- Determine whether non-subscriber revenues, such as advertising and home shopping commissions, which are typically recorded on a regional rather than a local basis, have been properly calculated and properly apportioned to each Municipality.
- Review certain special revenue sources, such as "trouble call" fees, broadcast retransmission fees, video whole house maintenance fees, franchise fee-on-fees, and others, to determine proper inclusion in the determination of franchise fees for the time period under review.
- Ensure that "bundled service" revenues (i.e. revenues applied to cable, internet, and phone services) have been accurately apportioned to cable service, which is the only service that may legally be subject to the franchise fee.
- Obtain a "homes passed list" from the cable operator to determine with specificity whether the cable operator is properly coding all cable customers to the Municipalities as opposed to adjacent municipalities. We will obtain the homes passed list for the Municipalities from Windstream and ask the Municipalities to compare this list against its residential database to identify discrepancies between the two lists.
- Re-perform a select number of cable operator calculations determining franchise fee revenues for the period under review. These calculations include, but are not limited to, figures underlying the amounts reported for revenue sources and calculations on the specific items comprising general franchise fee categories such as "miscellaneous revenues" and "installation revenues" (which include, for example, installation, disconnection, reconnection, relocation and change-in-service fees).
- Ascertain trends of major revenue categories to spot discrepancies and/or inconsistencies in the reporting of revenues over time and making inquiries with the cable operator to explain such discrepancies and/or inconsistencies.
- Determine whether there are franchise fee underpayments to the Municipalities for the period under review, the amount of any underpayment, and whether any penalties and/or interest apply in accordance with each municipality's franchise agreement.

Typically, our investigation includes follow-up questions, requests for further information, and discussions with the cable operator. Once the audit is completed, we will prepare a report that summarizes the results of the audit, describes the areas of inquiry, and includes charts showing subscriber and revenue trends.

#### C. Drafting of Proposed Agreement

On a parallel track with the setting of priorities and franchise fee audit described above, our attorneys will draft a proposed agreement with Windstream that provides the Municipalities with the benefits and legal protections to which it is entitled under current law and technology. The agreement will include the results of the setting of priorities stage above, as well as our judgment as to the legal provisions that would advance the Municipalities' interests and meet its future cable-related needs. We will then submit the agreement to the Municipalities for informal review and comment before presenting it to representatives of Windstream.

#### D. Negotiation with Cable Operator

The most important stage in the process is negotiating a franchise renewal agreement with Windstream. The working document for these negotiations will be the franchise agreement drafted by CLG and informally approved by the Municipalities. We will preserve the Municipalities' legal rights under the formal process, but proceed to negotiate with Windstream under the informal process outlined in the federal Cable Act. The negotiation typically consists of conference call negotiations with representatives of Windstream, status conferences with the clients, multiple revisions of the proposed franchise agreement, redrafting specific franchise agreement provisions, and editing the final draft of the cable franchise agreement.

#### E. Consideration by the Municipalities' Local Governing Bodies

After tentative agreement with Windstream has been reached on a franchise renewal agreement, CLG will report to the Municipalities on the substantive provisions of the deal. Specifically, we will present the Municipalities with the final cable franchise agreement (and any side agreements) negotiated by the parties and recommended by CLG. We will also draft an executive summary of the major provisions of the final agreement. Finally, we will draft a

recommended resolution authorizing approval of the agreement for consideration by the State College Borough Council and the Ferguson Township Board of Supervisors.

#### IV. PROFESSIONAL BACKGROUND

The Cohen Law Group specializes in representing municipalities in cable, wireless, and broadband matters. Collectively, our attorneys have worked on cable franchise issues on behalf of municipalities for over 60 years. CLG has represented over 500 local governments in six states in negotiations with cable companies. CLG's full array of legal services includes the following:

- Drafting cable franchise agreements
- Review of current and proposed franchise agreements/ordinances
- Cable franchise renewal negotiations with cable companies
- Franchise fee audits
- Cable compliance reviews
- Development of wireless facilities ordinances
- Negotiation with cellular tower and antenna companies
- Wireless facility litigation
- Drafting of right-of-way ordinances and development of right-of-way fees
- Right-of-way management and enforcement
- Drafting pole attachment agreements
- Pole attachment negotiations with cable and telephone companies
- Broadband feasibility studies and assisting with broadband expansion

As an active member of the National Association of Telecommunications Officers and Advisors (NATOA) and other professional organizations, CLG stays current with frequent changes in cable, wireless, and broadband law. Dan Cohen has been a Board Member of NATOA for four years. CLG attorneys have written articles on cable and wireless matters that have been published in *Pennsylvania Township News*, *Pennsylvania Borough News*, the *Pennsylvania Municipal Reporter*, *Public Management Magazine*, and *Government Procurement Magazine*. They are also frequent speakers at municipal conferences.

Prior to providing professional counsel to municipalities on cable and telecommunications matters, Dan Cohen served as an elected municipal official for 12 years on the Pittsburgh City Council. He served as Chair of City Council's Cable Television Committee for 10 years and also served on the Mayor's Telecommunications Committee. He led Pittsburgh's efforts to regulate cable rates, which resulted in a refund ordered by the FCC for all City of Pittsburgh cable customers. Mr. Cohen graduated from Yale University and Stanford Law School.

Attorney Phil Fraga, brings significant private sector experience to his role in serving as outside counsel to municipalities. He served as assistant general counsel to a major cable company and was general counsel for two telecommunications companies prior to joining the firm in 2006. His industry experience and understanding of the operations of cable operators have proven invaluable for our clients as they negotiate with these providers. Mr. Fraga has negotiated hundreds of cable franchise agreements with cable providers. Mr. Fraga has undergraduate degrees from Bethany College (finance) and Carlow College (accounting), an MBA from the University of Steubenville, and a law degree from the Duquesne University School of Law.

In addition to Mr. Cohen and Mr. Fraga, CLG includes a strong team of qualified and experienced attorneys, including attorney Mike Roberts, attorney Joel Winston, attorney Stacy Browdie. Our Office Manager is Akila Iyer.

#### V. COST OF SERVICES

The following represents the fees that the Cohen Law Group would charge to conduct a franchise fee audit and franchise renewal negotiations with Windstream on behalf of State College Borough and Ferguson Township. We propose to perform these services on a flat fee basis, because our significant experience in performing these projects lends predictability to

our efforts on behalf of the Municipalities. In addition, a flat fee provides the Municipalities with "price certainty." Our flat fees for this project are as follows:

# FLAT FEE SCHEDULE FOR FRANCHISE FEE AUDIT AND FRANCHISE RENEWAL NEGOTIATIONS WITH WINDSTREAM

#### Single Municipality Fee (by population prior to discount)

Over 25,000 \$5,500 for Audit + \$7,500 for Renewal = \$13,000 Under 25,000 \$4,500 for Audit + \$6,500 for Renewal = \$11,000

#### Discounted Fees (if both Municipalities participate)

Two Municipalities = 15% Discount from the fees shown above based on population

Over 25,000 Audit and Renewal = \$11,050 Under 25,000 Audit and Renewal = \$9,350

Please note that this flat fee does not include expenses, such as postage and copying expenses, which are kept to a minimum. Our billing policy is to bill one-third of the fee at the beginning of each project, one-third at the middle of each project, and one-third at the conclusion of each project. The flat fee amounts above also do not include the unlikely possibility of services requested outside the scope of services in this proposal or any significant unforeseeable developments. In the event of such developments, we would contact the Municipalities to discuss such them prior to rendering services related to such developments. If such services are authorized, CLG would charge a fee of \$250 per hour. While it is not expected that travel will be necessary for this project, if it becomes necessary, our travel rate is one-half of our standard rate or \$125 per hour. Thank you for the opportunity to submit this proposal.

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When an effective noise ordinance is clear, targeted and enforceable, it can serve as an effective tool allowing municipalities to address public concern. Despite the seeming triviality, a well-crafted noise ordinance can make a huge difference in the quality of life for residents without proving overly burdensome for enforcement officers.

The goal of this Board request is to discuss and amend the noise ordinance to increase community well-being and ordinance ease of enforcement.

Enforceability requires a standard which code officers and law enforcement can use when evaluating if someone is in violation of the ordinance. In considering what standard to use, a municipality should evaluate its resources, the availability of enforcement officers, and the equipment necessary to apply the standard.

Actual prohibitions should be simple and broad, as opposed to vague. For example, "No person shall make, cause, continue or allow or permit any noise disturbance, by any means, to be made or continued at any property, whether public or private, real or personal, that is subject to such person's right to control." The broadness of the prohibition will allow the ordinance to capture every instance of a noise disturbance while leaving room for specific prohibitions and exceptions and subject to an enforceable standard.

Using a "plainly audible" standard, as measured by the human ear from across a property line or alternatively at a specified distance is an objective and low cost standard of enforcement. This standard may be a good addition to our ordinance. The advantage of using this standard is that it requires no special equipment and doesn't require an enforcement officer to make an arbitrary evaluation of whether or not the noise is unwanted or bothersome. Such a standard also has the advantage of encompassing noises that, while not considered loud, fall within the definition of "unwanted or disturbing." The use of such a standard has been upheld, as in Commonwealth v. Scott, where the Superior Court found that an ordinance prohibiting stereos from being played by vehicles at a level audible at twenty-five (25) feet was not unconstitutionally vague nor in violation of the First Amendment.

Requested action for this item is for the Board to review the current noise ordinance and consider amendments focused on revising definitions, standards of assessment, exceptions and prohibitions with the goal to increase community quality of life, well-being and ordinance ease of enforcement.

#### Direct excerpts taken from:

https://corporate.findlaw.com/law-library/guidelines-for-drafting-municipal-noise-control-ordinances.html https://www.cgalaw.com/knock-it-off-best-practices-and-pitfalls-when-adopting-noise-ordinances/https://noisefree.org/wp-content/uploads/2017/12/Noise-Ordinance-Manual.pdf

### 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

#### FINANCE COMMITTEE

Hybrid Meeting August 19, 2021 8:30 AM

GENERAL MEETING INFORMATION		
RSVP	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZwsfu-upjsrGdEl8JrNn-pNWQO3Dtq1PnA">https://us02web.zoom.us/meeting/register/tZwsfu-upjsrGdEl8JrNn-pNWQO3Dtq1PnA</a>	
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZwsfu-upjsrGdEl8JrNn-pNWQO3Dtq1PnA">https://us02web.zoom.us/meeting/register/tZwsfu-upjsrGdEl8JrNn-pNWQO3Dtq1PnA</a> To attend this meeting by phone: +1 929 205 6099   Meeting ID: 881 9668 0135	
In-Person Participants	COG Building - Forum Room 2643 Gateway Drive, State College, PA 16801	
Meeting Contact: Cary Asendorf   email: <u>casendorf@crcog.net</u>   814-231-3077		
Click HERE to locate the AGENDA and ATTACHMENTS Should you desire to annotate any attachments you must download them first.		

- The chat feature for this meeting will be limited to remote participants being able to communicate to meeting hosts. A recording of the meeting will be made available on the COG website upon its conclusion.
- We ask that non-voting participants that are attending remotely remain muted with their video turned off unless recognized to speak. To reduce audio interference, please remain off of speakerphone during the meeting.
- <u>VOTING PROCEDURES:</u> Members will provide their vote by voice. Clarification will be sought by the Chair if the vote is unclear. Members opposed to a motion should vote "No". For additional information on COG Voting Procedures, please click <u>HERE</u>.
- <u>PUBLIC COMMENT GUIDELINES:</u> Members of the public may comment on any items not already on the agenda (five minutes per person). Comments relating to specific items on the agenda should be deferred until that point in the meeting. For additional information on COG public meeting guidelines, please click <u>HERE</u>.
- To access agendas and minutes of previously held meetings, and to learn more about the COG Finance Committee on our website, please click HERE.

### 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

#### FINANCE COMMITTEE

Hybrid Meeting August 19, 2021 8:30 AM

Written public comment or requests to speak to the Finance Committee for items not on the agenda, and requests to comment to specific agenda items listed below, may be submitted in advance by emailing casendorf@crcog.net.

#### **AGENDA**

#### 1. CALL TO ORDER

Mr. Myers will convene the meeting.

#### 2. **PUBLIC 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 (Action)

A copy of the minutes from the July 8, 2021, Finance Committee meeting is enclosed for approval.

#### 4. UPDATE ON THE DEFINED CONTRIBUTION PENSION PLAN (Discussion)

Mr. Roger Dunlap, State College Borough Assistant Manager, and Mr. Pat Geary, Investment Advisor for State College Borough's Defined Contribution Pension Plan, will be in attendance to discuss changes being proposed to the Borough's Defined Contribution Pension Plan, of which the Centre Region COG is a member.

The Defined Contribution Pension Plan is managed by the Pension Advisory Board (PAB) of the Borough of State College and any changes recommended by the PAB must be approved by Borough Council.

This update is to be informative and allow the COG Finance Committee to ask questions pertaining to the Defined Contribution Pension Plan. An update on the Defined Benefit Pension Plan is tentatively scheduled to occur at next month's Finance Committee meeting.

#### 5. FIRE APPARATUS PLAN UPDATE (Informational)

Mr. Rusty Schreiner, Assistant Fire Chief, will be in attendance to provide an update on the reworked long range Fire Apparatus Addition and Replacement Plan. The plan was significantly reworked due to the lead time for many pieces and how the Fire Department is utilizing the equipment.

The Committee should receive the update and ask questions as they deem appropriate.

#### 6. 2022 COG PROGRAM PLAN AND CAPITAL IMPROVEMENT PLAN (Action)

During its July 26, 2021 meeting, the General Forum approved the following motion relating to the review of the 2022 COG Program Plan:

"That the General Forum receive the 2022 Program Plan for the Centre Region COG and refer it to the Centre Region municipalities for review; and, further, that comments be referred to the COG Executive Director by 8:00 AM, August 19, 2021 to be considered during the preparation of the draft 2022 COG Budget."

A similar motion was approved by the General Forum regarding the review of the annual update to the COG's Capital Improvement Program (CIP). A matrix that identifies municipal comments and staff responses on the 2022 COG Program Plan and 2022-2026 Capital Improvement Program is *enclosed*. Staff will continue to compile the municipal comments as they are received into a matrix and an updated version of the matrix will be distributed to the Finance Committee next week prior to the meeting. In addition, some comments may be distributed to the Committee at the meeting. The Committee should review the municipal comments and note areas of particular concern, agreement or disagreement.

The municipal comments and Finance Committee's initial responses to then will be used by COG staff to guide their efforts in preparing the 2022 Detailed COG Budget that will be distributed next month.

A complete report identifying all municipal comments and the staff responses will be provided to the General Forum with the September meeting agenda packet.

Please remember to bring your 2022 Program Plan and 2022-2026 CIP to the meeting.

Electronic copies are also available on the COG website at the following links: 2022 COG Program Plan 2022-2026 CIP

#### 7. FORMAT OF 2022 DETAILED BUDGET

Enclosed is the updated detailed budget document that will be utilized by staff for the 2022 detailed budget. This document was vetted by the Committee in January through March of this year and was sent out to the Committee for comment in an email dated July 30.

The Committee should review the document and note areas for potential improvement in the document noting that the document for 2022 should be viewed as a transitional document and should continue to be improved in the coming year(s). The goal of this change is to revise the look to streamline the process of compiling, analyzing, and reviewing the document while providing very similar information and maintaining the transparency that should remain a hallmark of the COG budget.

If this document does not accomplish that the Committee should work with staff to ensure the information provided is in a format that does.

#### 8. BUDGET REVIEW SESSIONS (Action)

The Finance Committee should set its schedule for reviewing the draft 2022 Detailed Budget document (presented in the large binder, as yet to be prepared). Over the years, the Committee has used a number of different options for scheduling the budget review sessions:

- A. Schedule meetings in the morning, afternoon, or evening.
- B. Schedule six meetings of approximately 90 minutes each.
- C. Schedule three meetings of three hours each, with the Committee's regular meeting (October 14) reserved as a wrap-up session.

During the past several years, the Committee has used option "C" - three review sessions concluding with a wrap-up session during the regularly scheduled meeting. COG staff expects to distribute copies of the 2022 Detailed COG Budget on September 20.

If the Committee agrees to use option "C" then three meetings should be scheduled between September 22 and October 13. As a note, the Facilities Committee is currently scheduled for the morning of Tuesday, October 5. Two members of the Finance Committee serve on the Facilities Committee.

In addition, the Committee should discuss whether there is a preference for the budget review sessions to be virtual, in person, or a hybrid format. Staff will work to logistically support whichever format the Committee decides to pursue.

Please remember to bring your calendars to the meeting.

#### 9. VEHICLE REPAIRS & MAINTENANCE REPORT (Informational)

(time estimate 5 minutes)

This is an informational agenda item. The Committee should receive the update from COG staff and ask questions they deem appropriate.

This agenda item is for informational purposes and does not require action from the Finance Committee.

Enclosed please find copies of the vehicle repairs and maintenance reports for the period of January 1 through June 30, 2021 completed by Mr. Cary Asendorf. The Finance Committee should review the report and note areas of concern.

#### 10. **FACILITIES COMMITTEE (Informational)** (time estimate 5 minutes)

This is an informational agenda item. The Committee should receive the update from Ms. Hartle and ask questions they deem appropriate.

Ms. Patti Hartle will provide an update the Facilities Committee's activity. The August meeting was canceled however numerous updates were sent out with the cancelation notice.

#### 11. MONTHLY REPORTS (Action)

This is an action agenda item. The Committee should review and approve the voucher report.

Copies of the July 2021 **voucher** reports are <u>enclosed</u> with this agenda. To proceed, the Committee should consider the following motion:

"That the Finance Committee approves the July 2021 voucher reports for the Centre Region COG."

Copies of the July 2021 COG financial report (electronically, only) are also enclosed.

If the Committee has any questions about the items in the voucher report, please let Finance Director Joe Viglione (<u>iviglione@crcog.net</u> or (814) 231-3062) know as soon as possible so that the information can be researched prior to the next Committee meeting.

#### 12. <u>OTHER BUSINESS</u>

- A. <u>Matter of Record</u> <u>Enclosed</u> are the 2020 audit reports from Maher Duessel for the Centre Region COG, CRPR Authority, and Schlow. Staff has invited Maher Duessel to attend the September Finance Committee meeting to present on the reports.
- B. <u>Matter of Record</u> The following is an update of the status of planning and evaluation studies currently underway at the COG:

	Planning Activity	Status
1	IT Study	The IT Steering Committee has completed its review and evaluation and is preparing a recommendation for the Executive Committee and General Forum in accordance with the guidance received from the Finance Committee during the last meeting.
2	COG Strategic Plan	A presentation on the mission and vision statements, values, and draft goals and objectives for the COG strategic plan is planned for the General Forum during the August meeting. Professional assistance is being provide by Penn State University's Office of Planning, Assessment and Institutional Research.
3	Code Software Study	After an extensive evaluation of the commercially available software packages for administration of building codes, zoning, planning, and land use, the regional committee has decided to move forward with TRAISR. TRAISR is a Pennsylvania based solution, based in Fort Washington in the Philadelphia area. Currently the CRCA is currently in the process of reviewing contracts with legal counsel.
4	Solar Power Purchase Agreement Working Group	At its August 11 <sup>th</sup> meeting the SPPA Working Group recommended GreenSky Development Group be named the preferred consultant at a cost not to exceed \$75,000. Further, they referred this recommendation to the various partners' respective boards/councils for their approval to authorize their representative to endorse GreenSky be retained by SCASD at the SPPA Working Group's September 15 <sup>th</sup> meeting. All boards/councils should take action prior to the September 15 <sup>th</sup> SPPA Working Group meeting. COG is planning to take action at the August 23, 2021 General Forum meeting.
5	Fleet Management Plan/COG Building Parking Lot Study	The resurfacing and re-striping has been completed with the COG Building Parking Lot. Staff implemented this plan in place of re-paving to control capital expenditures, extend the life, and then better understand the COG Building lease / ownership discussion outcomes that will assist with informing future capital reinvestments. Staff have begun examining currently available fleet-related data, sample policies, previously approved COG policies and practices, etc. to begin drafting an outline for COG Fleet Management Policies. It has been suggested that the fleet management plans for the municipalities should be reviewed by COG staff. So, if any Committee members can provide such plans from your municipality, we would appreciate it please.

6	Boardwalk at Millbrook Marsh Nature Center	There hasn't been any work on this project since the last update in July. The Agency awaits further discussion with the Facilities and Finance Committees regarding funding for the Part II Feasibility Study and funding/fundraising discussions for the boardwalk renovation. We hope to begin those conversations with the September meeting schedule.
7	General Forum Room A/V Enhancements Project	As of August 10 the system hardware is installed and the room is functional. We have moved into the commissioning phase of the equipment and system to refine audio and visual performance. Some design errors and equipment malfunctions were identified with the initial installation. The "main controller" has been delayed with shipping, temporary provisions have been made until the expected delivery in September 2021. Staff continues to work with Dobil Laboratories Inc. for trouble shooting and problem resolution.
8	Whitehall Road Regional Park	Work continues with design development, construction documents, and specification manual updates. The current schedule is supporting a fall 2021 bid time with planned contract awards made December 2021 / January 2022. Restrooms, maintenance facility, and irrigation system details are being developed to ensure a comprehensive project cost is obtained through the bidding process. The purchase of the playground equipment and surfacing and the contracting for playground installation is complete; the purchasing of the LED Sports Field Lighting is complete with some paperwork still required for DCNR's grant portal.

#### 13. <u>ADJOURNMENT</u>

#### 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**

Hybrid Meeting August 19, 2021 12:15 PM

GENERAL MEETING INFORMATION		
RSVP	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZMkdOyvqzkiHdOhkDBJmpRZ-XFdaV6q5XW1">https://us02web.zoom.us/meeting/register/tZMkdOyvqzkiHdOhkDBJmpRZ-XFdaV6q5XW1</a>	
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZMkdOyvqzkiHdOhkDBJmpRZ-XFdaV6q5XW1">https://us02web.zoom.us/meeting/register/tZMkdOyvqzkiHdOhkDBJmpRZ-XFdaV6q5XW1</a> To attend this meeting by phone: +1 929 205 6099   Meeting ID: 879 3575 2877	
In-Person Participants	COG Building - Forum Room 2643 Gateway Drive, State College, PA 16801	
Meeting Contact: Scott Binkley   email: sbinkley@crcog.net   814-235-7818		
Click HERE to locate the AGENDA and ATTACHMENTS Should you desire to annotate any attachments you must download them first.		

- The chat feature for this meeting will be limited to remote participants being able to communicate with meeting hosts. A recording of the meeting will be made available on the COG website upon its conclusion.
- We ask that non-voting participants that are attending remotely remain muted with their video turned off unless recognized to speak. To reduce audio interference, please remain off of speakerphone during the meeting.
- **VOTING PROCEDURES:** Members will provide their vote by voice. Clarification will be sought by the Chair if the vote is unclear. For additional information on COG Voting Procedures, click HERE.
- **PUBLIC COMMENT GUIDELINES:** Members of the public may comment on any items not already on the agenda (five minutes per person). Comments relating to specific items on the agenda should be deferred until that point in the meeting. For additional information on COG public meeting guidelines, please click **HERE**.
- To access agendas and minutes of previously held meetings, and to learn more about the COG Executive Committee on our website, please click **HERE**.

## 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**

Hybrid Meeting August 19, 2021 12:15 PM

Written public comment or requests to speak to the Executive Committee for items not on the agenda, and requests to comment on specific agenda items listed below, may be submitted in advance by emailing <a href="mailto:sbinkley@crcog.net">sbinkley@crcog.net</a>.

#### **AGENDA**

#### 1. CALL TO ORDER AND ROLL CALL

Mr. Hameister will convene the meeting. Mr. Binkley will take a roll call of members.

#### 2. PUBLIC 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. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

#### 3. CONSENT AGENDA

The following items listed on the Consent Agenda portion of the Executive Committee agenda may be approved with a single motion by the Executive Committee unless a Committee member or member of the public requests that an item is removed from the Consent Agenda for a question or further discussion.

#### CA-1 APPROVAL OF MINUTES

A copy of the minutes of the July 20, 2021, Executive Committee meeting are enclosed.

CA-2 TASK FORCE ON POLICING AND COMMUNITIES OF COLOR REPORT - This item, brought forward by Mr. Barlow, asks that the Executive Committee allow staff to schedule Dr. Emil Cunningham, Penn State Director of Diversity and Inclusion and Chair of the Task Force on Policing and Communities of Color, to provide a presentation on the Task Force Report during the August 23, 2021, General Forum meeting. The final report was released on

July 6, 2021.

The Task Force was jointly appointed by the Borough of State College and Penn State University. Ms. Sara Thorndike, Penn State's Senior Vice President for Finance and Business, may also attend the meeting. A link to the report can be found by clicking <a href="here">here</a> or going to <a href="https://bit.ly/3sawA4X">https://bit.ly/3sawA4X</a>.

Approval of this item on the Consent Agenda will add the presentation to the August 23, 2021, General Forum agenda.

CA-3 <u>RESOLUTION 2021-8 - A RESOLUTION FORMING THE LAND USE AND COMMUNITY INFRASTRUCTURE (LUCI) COMMITTEE</u> - This item asks the Executive Committee to forward Resolution 2021-8 to the General Forum for consideration.

For many months, the two committees have discussed how to best merge the responsibilities of each committee and prepare a mission statement for the merged committee. Merging the two committees is consistent with General Forum actions from late 2020 to create several new standing committees and to merge the existing PSE and TLU committees.

Previous committee meetings have included discussions to include adding new responsibilities. It has been difficult to come to a consensus on creating new responsibilities for the merged committee. Future responsibilities, particularly housing, require more discussion and regarding specific activities the newly formed committee wants the CRPA to undertake an evaluation of whether the Agency is adequately staffed to provide what the committees want to be done in this area.

At its August 5, 2021, meeting, the Committees unanimously passed the following motion:

That the Joint Public Services and Environmental and Transportation and Land Use Committee endorse the draft Resolution creating the Land Use and Community Infrastructure Committee and forward it to the COG Executive Committee for inclusion on the next General Forum agenda.

Enclosed is a draft of Resolution 2021-8 and the Working Document Expanding on Responsibilities.

Approval of this item on the Consent Agenda by the Executive Committee will add this item to the August 23, 2021, General Forum agenda with the recommendation of the Executive Committee as follows:

That the Executive Committee recommends approval of Resolution 2021-8 to merge the Public Services and Environmental Committee and Transportation and Land Use Committee into the Land Use and Community Infrastructure Committee effective January 1, 2022, as endorsed Joint Public Services and Environmental and Transportation and Land Use Committee.

CA4 <u>STRATEGIC PLAN UPDATE</u> - This item asks the Executive Committee to consider allowing Mr. Norenberg and Daniel Newhart, Penn State Vice Provost for Planning time at an upcoming General Forum meeting to provide an update on the COG Strategic Plan.

In early January, the COG, with the support of Penn State University, began to develop a strategic plan intended to guide the work of the COG over the next five to ten years. Through surveys of Centre Region elected officials and COG staff, discussions with elected officials at the April General Forum meeting, and meetings with Agency Directors, the Mission and Vision statements have been formed and refined, as have the core Values. Recently, Goals and Objectives have been taking shape.

Listed below are the working Mission and Vision statements and Values:

<u>Mission</u>: The Centre Region Council of Governments supports the residents who live, work, and play in the diverse communities that make up the Centre Region by providing cost-effective, consistent, and high-quality public services.

<u>Vision</u>: The Centre Region Council of Governments will continue striving to have a positive impact on the quality of life of those living, working, and playing in the Centre Region by maximizing the benefits of shared services through municipal partnerships.

#### Values:

- P We focus on serving the **Public** in all that we do.
- A We are Adaptable and able to respond to the changing needs of all those we serve.
- R We Respect each other, and all of those within our communities, and the leadership provided by the Centre Region elected officials and work to earn their Respect.
- **T** Transparency is essential to forging and sustaining trust with our residents, customers, and elected officials.
- N We strive to protect the **Natural environment** of the Centre Region and beyond by adopting sustainable practices and being an example for others.
- **E** The resources entrusted to the COG are used with **Efficiency** to deliver cost-effective, quality services and solutions.
- R The COG and its staff are dedicated to being **Reliable** and dependable in our service to others.
- S The **Safety** of every resident, visitor, and coworker is a priority as we do our jobs, as we respond to emergencies, and as we review and inspect every building project.
- H Trust is a critical element in all of our relationships, we pledge that **Honesty** and **Integrity** will guide every transaction and decision we make to earn and retain that trust.
- I Each voice and every member of our community is important to us, so our organization promotes **Inclusion** in COG programs, events, operations, and employment.
- P Our decision-making is **Participatory** because the opinions and perspectives of all parties have value and collaboration results in better decisions and a stronger COG.

The following are **Draft Goals**.

Goal 1: Maximize cost-effective and consistent public services.

- Goal 2: Maximize <u>high-quality</u> public services.
- Goal 3: Maximize benefits of shared services through municipal partnerships.
- Goal 4: The CRCOG will impact the quality of life positively on those living in the Centre Region.

The presentation on the Strategic Plan, including all of the above items would be presented.

Approval of this item on the Consent Agenda will add the presentation to the August 23, 2021, General Forum agenda.

#### Consent Agenda Approval Motion:

"That the Executive Committee approves items CA-1 — CA4 as listed on the August 19, 2021, Executive Committee Consent Agenda."

#### All municipalities should vote on this motion.

4. <u>2022 COG PROGRAM PLAN AND 2022-2026 CAPITAL IMPROVEMENT</u>
<u>PROGRAM COMMENTS</u> – Presented by Eric Norenberg and Joe Viglione

This agenda item asks the Executive Committee to consider referring municipal comments and staff responses regarding the 2022 COG Program Plan and 2022 to 2026 Capital Improvement Program to the General Forum for review at the August 23, 2021, meeting. This is an informational item, and action from the Executive Committee and the General Forum is not required. At the July 26, 2021, General Forum meeting, members unanimously agreed to the following motion:

"That the General Forum receive the 2022 Program Plan for the Centre Region COG and refer it to the Centre Region municipalities for review; and, further, that comments be referred to the COG Executive Director by 8:00 AM, Thursday, August 19, 2021, to be considered during the preparation of the draft 2022 COG Budget."

The Finance Committee reviewed municipal comments and staff responses at their August 19, 2021, meeting.

During its November 22, 2021, meeting, the General Forum will be asked to endorse the 2022 COG Summary Budget and refer it to the six Centre Region municipalities for adoption. Three documents are involved in the COG Budget process. They are:

a) COG Program Plan - This document is intended to provide municipal officials with a mid-year status report on the COG Budget, identify each COG Agency's mission statement and work objectives, and to propose potential budgetary or programmatic changes in the upcoming calendar year. At the July General Forum meeting, the Program Plan is referred to the governing bodies for comment. COG staff prepares responses to the municipal comments. These comments and staff responses are shared with the Finance Committee and the General Forum.

- b) COG Detailed Budget Keeping the Program Plan municipal comments in mind, the COG Agency Directors prepare the Detailed Budget that is provided to the Finance Committee for review. Copies are also distributed to the Municipal Managers. The Detailed Budget identifies proposed revenues and expenses for each of COG's 26 different funds and 1,500-line-item accounts. In late September/early October, the Finance Committee meets with each COG Agency Director to thoroughly review their budget proposals. The Committee recommends to the Executive Director budgetary changes that are then incorporated into the final version of the Detailed Budget.
- c) COG Summary Budget Based on the Detailed Budget, as approved by the Finance Committee, the COG Staff prepares a Summary Budget that provides a description of the combined COG Budget (all 26 funds) and identifies the proposed changes in revenues and expenditures for each agency budget. This document is reviewed by the General Forum during its October meeting and individually by each governing body during its meetings in early November. Municipal comments are forwarded to the Finance Committee for a response during its November meeting. The Summary Budget, as may be revised, is presented to the General Forum for endorsement and referral to the municipalities for adoption.

A matrix that identifies municipal comments and staff responses on the 2022 COG Program Plan and 2022-2026 Capital Improvement Program is *enclosed*.

The Executive Committee is asked to decide whether to refer the municipal comments and staff responses to the General Forum for informational purposes. If the Executive Committee agrees, the following motion could be considered:

"That the Executive Committee authorizes the presentation of municipal comments and staff responses regarding the 2022 COG Program Plan and 2022 to 2026 Capital Improvement Program at the August 23, 2021, meeting of the General Forum."

#### All municipalities should vote on this motion.

5. <u>ENERGY SERVICES CONSULTANT AUTHORIZATION</u> - Presented by Joe Viglione

Fifteen entities, including the Centre Region COG, have agreed to pool their resources to investigate a Solar Power Purchase Agreement (SPPA) through the SPPA Working Group. Over the past few months, a Request for Proposal (RFP) for Energy Consulting Services was issued and the Working Group received five responses. After a review of the proposals and interviews with the two finalists, the SPPA Working Group has recommended to their individual boards/councils that GreenSky Development Group be the consultant for the investigation of a SPPA with the following motion at their August 11 meeting:

"That the members of the Working Group, based on the MicroGroup's recommendation, recommends GreenSky Development Group as the Energy Services Consultant for an amount

not to exceed \$75,000 and further refers this recommendation to the individual boards/councils of the members of the working group for their organization's endorsement."

Accordingly, it is recommended that the COG General Forum receive an update on the project and next steps during the August 23 meeting from Peter Buck, Chair of the SPPA Working Group. That information is summarized in the *enclosed* Fact Sheet.

The Executive Committee is requested to consider the following motion recommending that the General Forum authorize their representative to take action at the September 15, 2021 SPPA Working Group meeting:

"That Executive Committee recommends that the General Forum concur with the SPPA Working Group's recommendation and authorize COG's representative, Mr. Peter Buck, to vote to recommend that SCASD retain GreenSky Development Group as the Energy Services Consultant for the SPPA project in an amount not to exceed \$75,000, of which COG's share is 4.74%."

#### All municipalities should vote on this motion.

#### 6. <u>MEETING PROCEDURES DRAFT DOCUMENTS</u> - Presented by Eric Norenberg

At its June 22, 2021, meeting the Executive Committee requested that staff begin to develop a draft list of meeting procedures. The <code>enclosed</code> draft General Meeting Operations and Procedures document and Hybrid Meetings Guide are intended to be living documents and will be useful as a reference for everyone, but will be especially helpful for newly elected officials, new staff, and the public. These documents may need to be updated and added to over time especially as COG works through the first few months of hybrid meetings. The Executive Committee is asked to commit to reviewing this document at least every two-three years.

Executive Committee members should provide any feedback they have to staff on either of the documents. If members agree to accept these documents, they could be stored in the COG Governance SharePoint site and the documents included as a matter of record on the August 23, 2021, General Forum agenda by way of the following motion.

"That the Executive Committee approves and endorses the COG Decorum Outline and Hybrid Meetings Guide and asks that staff distribute these documents to General Forum members."

#### All municipalities should vote on this motion.

#### 7. <u>IT STUDY STATUS AND RECOMMENDATION</u> - Presented by Eric Norenberg

#### Background

Plans for an IT assessment for the COG and the development of a Five-Year technology plan

date back to 2015. For a variety of reasons, completing and releasing a Request for Proposals was postponed several times and the original \$20,000 was re-budgeted for \$25,000 for 2021. The 2017 draft of the RFP was updated and refreshed during the fall 2020 semester with the help of a PSU senior Information Sciences and Technology major. She worked with the Executive Director, Agency Directors, and Borough IT staff to update the list of COG hardware and software and to be sure that the identified issues to be studied were complete and current. The RFP update was completed by the end of the semester during early-2021, staff completed formatting, and the RFP was released in March enclosed.

Advertising for the RFP followed COG purchasing procedures and outreach was made to IT firms in the Centre Region and to firms that were pre-qualified with the Commonwealth of Pennsylvania for such IT consulting. Of the eight firms that expressed an interest and requested the RFP, two completed proposals.

#### Discussion

In accordance with the RFP, an IT Steering Committee (including representatives from each COG Agency, COG Administration, and an external IT expert) was formed to review the proposals and to develop a recommendation. Committee members contacted references and completed scope review meetings with both proposers. In addition, firms that did not respond to the RFP were contacted to solicit feedback regarding their non-response. Explanations included, our scope did not fit the skill sets of two firms, one missed the RFP in the email inbox, and one missed the deadline.

As both proposals substantially exceeded the budgeted funds, the IT Steering Committee evaluated options that were then presented to the Finance Committee for guidance and direction. Options included:

- a. Rejecting both proposals, budgeting more funds for 2022, and releasing an updated RFP next year.
- b. Completing the evaluation process and negotiating a phased scope of work to utilize the funds available in 2021 and yet-to-be-budgeted funds in 2022 for the final phase(s) of the project.
- c. Requesting a budget amendment to enable the full award to the selected vendor this summer.

The Finance Committee discussed the above options during their June and July meetings and ultimately agreed on option "b.".

Earlier this month, the IT Steering Committee completed its final evaluation and reference checks and endorses Weidenhammer as the preferred vendor to conduct the IT assessment and prepare the Five-Year Information Technology Plan for the COG (proposal enclosed). Weidenhammer has agreed to a delayed start on the project to facilitate the budget constraints and to allow option "b." to be implemented.

Executive Committee members are asked to provide any feedback they have to staff on the proposed agreement *enclosed* and the course of action recommended by the Finance Committee, and then consider forwarding a recommendation to the General Forum. If members agree, the following motion could be considered:

"That the Executive Committee recommends that the General Forum authorizes the selection of Weidenhammer to perform the COG IT Assessment and prepare a Five-Year Information Technology Plan and that the Executive Director be authorized to execute the necessary agreements at a cost not to exceed \$78,600 to be funded \$25,000 from the 2021 budget and \$53,600 in the 2022 budget."

#### All municipalities should vote on this motion.

## 8. <u>COG POSITION STATEMENT TO PENN STATE UNIVERSITY ON COVID-19</u> – Presented by Eric Norenberg

At its August 10, 2021 special meeting, the Executive Committee authorized staff to draft a letter of communication to Penn State University President, Eric Barron on behalf of the COG and its member municipalities to express a consensus position and support for Penn State students being required to receive the COVID-19 vaccination before returning to campus. The draft letter is *enclosed*.

The Executive Committee should provide any additional feedback on this draft letter and consider forwarding this item to the General Forum for consideration during its August 23, 2021, meeting.

## 9. PARKS AND RECREATION GOVERNANCE STRUCTURE TASK FORCE DISCUSSION - Presented by Rich Francke

This item requests that the Committee discuss new business as brought forward by Mr. Francke at the July 20, 2021 meeting of the Executive Committee. Mr. Francke brought forward a concept for discussion that would establish an Executive Committee organized Task Force, to work in concert with the Centre Region Parks and Recreation Authority and the municipalities, to determine:

- The best mission and/or purpose for the Authority for the future
- The best governance structure to achieve that mission/purpose
- The best governing documents to achieve that mission/purpose Bylaws, MOU's, AoA's, etc.
- Additional supporting tasks assigned by the Executive Committee

This concept could provide a starting point for the clear recognition and importance of addressing Core Theme 10, Governance Structure, from the Comprehensive Recreation, Parks, and Open Space Plan *enclosed*.

Enclosed is a document provided by Mr. Francke which provides additional justification and guidance on this potential concept.

#### 10. <u>EXECUTIVE DIRECTOR'S REPORT</u>

The Executive Director will update the Executive Committee on other items of current interest.

- Schlow Centre Region Library Library Director Hiring Process See other business 11F.
- COG Solicitor Update At its April 20, 2021, Executive Committee meeting, members
  requested the COG Executive Director to begin developing a process and procedure
  regarding the selection process for retaining the COG solicitor. Since the April 20, 2021
  meeting, samples have been gathered from several sources, and more information is
  expected to be presented to the Committee in August.

#### 11. OTHER BUSINESS

- A. <u>Matter of Record</u> The next meeting of the Executive Committee is scheduled to be a hybrid meeting on Tuesday, September 21 at 12:15 PM.
- B. <u>Matter of Record</u> A repository of COG governance policies, procedures, and other related documents has been created using SharePoint for use by the elected officials and COG staff. and can be viewed by clicking <a href="here">here</a> or going to <a href="https://bit.ly/3wOOfk5">https://bit.ly/3wOOfk5</a>. Staff will continue to develop and update this site and educate the elected officials of its existence. Please contact Eric Norenberg with feedback and suggestions.
- C. <u>Matter of Record</u> A repository of information related to the Whitehall Road Regional Park has been created to facilitate easy access to documents, resources, and current information about the project. Staff continues to develop and update the site which can be found at <a href="https://www.crcog.net/wrrpinfoguide">https://www.crcog.net/wrrpinfoguide</a>. Please contact Eric Norenberg with feedback and suggestions.
- D. <u>Matter of Record</u> A depository of information on COG facilities has been created at: <a href="https://bit.ly/3qnEbMA">https://bit.ly/3qnEbMA</a>. The Facilities Committee uses this information as a collection point and serves as a resource for new members of the Committee as well as others.
- E. <u>Matter of Record</u> Last year, due to the pandemic, there was an agreement to produce a condensed Program Plan for 2021 that was focused on the future, with less historical background information. At the time, there was feedback that the background information should not be lost, and that COG should consider presenting both future and background information every two years to coincide with newly elected officials taking office.

This year the 2022 Program Plan is accompanied by a companion document named the Program Preface. The 2021-2022 Program Preface can be found by clicking here or going to <a href="https://www.crcog.net/program">https://www.crcog.net/program</a> preface.

This document includes historic and background information from each agency and will serve as a resource for new COG staff as part of orientation, newly elected or appointed General Forum members, and candidates for office.

- F. Matter of Record At its June 22, 2021, meeting, the Executive Committee, discussed the process that was used during the recent hiring of the Library Director with the COG Executive Director. Mr. Norenberg and Ms. Petitt have received feedback on the process and recommendations from the Schlow Library Board of Trustees Governance Committee based on feedback from Trustees. The Executive Committee provided direction to the Executive Director, and he later met with the Governance Committee again. This topic was on the July 21, 2021, Library Board of Trustees agenda. There was an extensive discussion with Mr. Norenberg primarily focused on the number of representatives that would make up the next Search Committee. Ultimately, the Board accepted the suggestion for a member or two of the Board of Trustees to attend an upcoming Executive Committee meeting for a dialog on the topic. This is tentatively planned for the September Executive Committee meeting.
- G. Matter of Record With work completed in 2018, Centre County and the Centre Region Parks and Recreation Authority entered into a three-year agreement which outlined the County's financial support for the Center to include annual increases and debt payments. The agreement also outlined responsibilities for data tracking and reporting and guidelines for operations. The three-year agreement ends December 31, 2021; therefore, the Agency and COG Staff and County Area Agency on Aging began the review process in April 2021 to update the document in preparation for renewing this three-year agreement for 2022-2024. The goal was to have the financial support piece ready for the COG Budget Process. On August 10, the Centre County Commissioners reviewed the document; if there are no changes from this meeting, the document will be approved at the Commissioners' August 17 meeting. The document will then be approved by the Centre Region Parks and Recreation Authority at their August 19 meeting; the agreement requires the endorsement of the COG Forum Chairperson as well.

#### 12. <u>CALENDAR</u>

A calendar with upcoming COG committee, General Forum, and municipal meetings can be found by clicking the following link: <u>COG and Municipal Meeting Overlay Calendar</u>.

#### 13. ADJOURNMENT

#### **ENCLOSURES**

<u>Item #</u>	<u>Description</u>
CA-1	July 20, 2021 - Executive Committee Meeting Minutes
CA-3	Resolution 2021-8 - A Resolution Forming the Land Use and Community
	Infrastructure (LLICI) Committee

Executive Committee Agenda August 19, 2021 Page 12 of 12

04	2022 COG Program Plan / 2022-2026 Capital Improvement Program
	Comments Matrix
05	Energy Services Consultant Fact Sheet
06-A	Draft General Meeting Operations and Procedures
06-B	Draft Hybrid Meetings Guide
07-A	2021 COG IT RFP
07-B	Weidenhammer COG RFP Response
07-C	COG - Weidenhammer - Professional Services Agreement
08	COG COVID Statement to Penn State University - Draft Letter
09-A	Core Theme 10 - Governance Structure
	(From the Comprehensive Recreation, Parks, and Open Space Plan)
09-B	Mr. Francke Executive Committee Comments 7/20/2021

#### 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**

Hybrid Meeting September 1, 2021 12:15 PM

GENERAL MEETING INFORMATION		
RSVP	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZcoc-qspzoiEt1ADEh0sG6MhYrAEJny1pyd">https://us02web.zoom.us/meeting/register/tZcoc-qspzoiEt1ADEh0sG6MhYrAEJny1pyd</a>	
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZcoc-qspzoiEt1ADEh0sG6MhYrAEJny1pyd">https://us02web.zoom.us/meeting/register/tZcoc-qspzoiEt1ADEh0sG6MhYrAEJny1pyd</a> To attend this meeting by phone: +1 929 205 6099   Meeting ID: 819 3426 7771	
In-Person Participants	COG Building – Forum Room 2643 Gateway Drive, State College, PA 16801	
Meeting Contact: Becca Petitt   email: rpetitt@crcog.net   814-272-1447		
Click HERE to locate the AGENDA and ATTACHMENTS  Should you desire to annotate any attachments you must download them first.		

- The chat feature for this meeting will be limited to remote participants being able to communicate with meeting hosts. A recording of the meeting will be made available on the COG website upon its conclusion.
- We ask that non-voting participants that are attending remotely remain muted with their
  video turned off unless recognized to speak. To reduce audio interference, please remain off
  of speakerphone during the meeting.
- <u>VOTING PROCEDURES:</u> Members will provide their vote by voice. Clarification will be sought by the Chair if the vote is unclear. For additional information on COG Voting Procedures, click <u>HERE</u>.
- <u>PUBLIC COMMENT GUIDELINES:</u> Members of the public may comment on any items not already on the agenda (five minutes per person). Comments relating to specific items on the agenda should be deferred until that point in the meeting. For additional information on COG public meeting guidelines, please click <u>HERE</u>.
- To access agendas and minutes of previously held meetings, and to learn more about the COG Human Resources Committee on our website, please click <u>HERE</u>.

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#### **HUMAN RESOURCES COMMITTEE**

Hybrid Meeting Wednesday, September 1, 2021 12:15 PM

Written public comment or requests to speak to the Human Resources Committee for items not on the agenda, and requests to comment to specific agenda items listed below, may be submitted in advance by emailing <a href="mailto:rectage:rectage-recta

#### **AGENDA**

#### 1. CALL TO ORDER AND ROLL CALL

Mr. Strouse will convene the meeting. Ms. Petitt will take a roll call of members.

#### 2. PUBLIC 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. Submitted comments will be read into the record by the Recording Secretary at the appropriate time in the meeting.

#### 3. APPROVAL OF MINUTES

A copy of the minutes from the August 4, 2021 Human Resources Committee meeting is enclosed for approval.

4. COVID-19 UPDATE - presented by Eric Norenberg and Becca Petitt

This is an action item.

At its August 23 meeting, the COG General Forum passed the following motion in relation to COVID-19:

"That the General Forum strongly encourages the COG Executive Director to require that its employees become vaccinated or present proof of vaccination against the virus that is caused by COVID-19 except for those with medical or religious exemptions."

Throughout the pandemic, the COG Executive Director has met regularly with the HR Officer, EM Coordinator, and Agency Directors to discuss, plan, and implement precautions to limit the spread of the COVID-19 virus in our workplaces and in our communities. These mitigations techniques sometimes varied across COG agencies based on the nature of the services provided and jobs performed, and to date, have proven to be very effective. We have provided, and continue to provide, frequent communication and reminders for staff regarding COVID-19 safety.

Together we have worked to adapt and modify the way we do business. We have:

- Worked from home, worked from our vehicles, and staggered work schedules in the office,
- o Explored new programming and technologies, provided curbside pick-up and dropoff of Library materials, Code plans and permits,
- o Implemented travel restrictions,
- o Conducted employee surveys,
- Followed Center for Disease Control (CDC) and Pennsylvania Department of Health guidance,
- Developed self-wellness check flyers,
- Provided PPE, including thermometers, masks, gloves, and hand-sanitizer, increased the frequency and intensity of office cleanings, purchased and implemented UV disinfection equipment, as well as touch-free faucets, water bottle fillers, soap and paper towel dispensers,
- o Educated and encouraged employees to vaccinate, and
- Implemented new policies, such as remote work, negative leave accrual, emergency COVID leave and expanded FMLA.

The COG's leave time policies help to accommodate employees who have been exposed to COVID-19, are ill with COVID-19, need time off to get the vaccine, and/or time off if they experience any illness or side effects after receiving the vaccine.

It has been our experience that COG staff have been responsible, cooperative and proactive with the mitigation efforts implemented, and further, a majority of them have chosen to get vaccinated.

In addition, throughout the pandemic COG offered several virtual sessions that focused on the stresses brought on or exacerbated by the pandemic. COG offers an Employee Assistance Program (EAP) available to all employees and family members living in their household. The EAP hotline is available 24 hours a day, 7 days a week. The Employee Relations Committee (ERC) also re-imagined ways to keep COG staff engaged in health and wellness activities, including an ice cream truck event to meet and greet our new Executive Director in a safe and fun way while remaining socially distanced, compiled a list of ways employees could volunteer to help their neighbors and communities during the shutdown, created a COG Cookbook, and held a Virtual Employee Recognition Event.

Safety of COG staff, their families, and the communities we serve has always been and remains our top priority. Because of the way we have handled the situation, COG has experienced high morale and strong staff support, even though the mitigation techniques can be inconvenient and trying at times.

Following the General Forum meeting, a special meeting of the COG management staff was held to discuss the motion. Unanimously, the Executive Director, HR Officer, EM Coordinator, and Agency Directors agreed to stay the course as it has served us well. Additionally, the team concluded that the COG is not prepared to require vaccines or proof of vaccines at this time. With the already high rate of vaccinations, it would be difficult to increase the vaccination rate without disrupting and alienating the strong team that serves the Centre Region well. This message was in turn relayed to all COG staff and expressed to the COG Executive Committee.

COG staff will remain diligent in daily self-wellness checks, hand hygiene, masking, distancing, and in our frequent reminders and communications to staff. We understand that circumstances change frequently with the pandemic, and we will continue to adjust accordingly by remaining flexible, patient, and making a change in course as needed.

COG staff recommends that the HR Committee recommended that the motion made at the August 23 General Forum meeting be repealed/replaced/amended. A potential motion to consider is:

"That the Human Resources Committee recommends that the General Forum amend the motion adopted on August 23 as follows, 'That the General Forum thanks and salutes COG staff for their patience, vigilance and dedication throughout the pandemic and that the General Forum encourages the COG Executive Director to continue monitoring pandemic conditions and CDC guidance and to implement practices necessary to keep the COG workplace safe."

#### PT ADULT SERVICES LIBRARIAN IOB DESCRIPTION – Presented by Lisa Collens

This is an action item.

The Human Resources Committee is asked to approve the revised part-time Adult Services Librarian job description. Each time a COG position becomes vacant, management staff review the positions need, as well as the job description for accuracy. In this instance, the current job description hadn't been reviewed in some time and was too specific. The revisions not only more closely align the duties with that of the full-time Librarian position, but they generalize the position in a way that will allow the department flexibility in the future. Essentially very similar responsibilities for a different number of hours each week.

Combining job descriptions where possible, such as in this situation where a majority of the full-time job description also applies to the PT job description, are the types of efficiencies that will be helpful as COG looks ahead to the 2022 proposed classification and compensation study.

**Enclosed** is the revised job description for the part-time Adult Services Librarian for the HR Committee's review and approval. A suggested motion for the Committee is as follows:

"That the COG Human Resources Committee approve the job description for the part-time Adult Services Librarian, dated September 1, 2021."

#### 6. OTHER BUSINESS

- A. <u>Matter of Record</u> The following represents a list of vacancies of COG full-time, and part-time, year-round positions:
  - a. Code Electrical Inspector Following second round interviews, an offer of employment has been accepted by Mr. Tyler Whitsel. Start date is August 30.
  - b. **Parks** PT Rec Aide Currently being advertised. Remains a struggle to get applications, similar to Parks Seasonal vacancies.
  - c. **Schlow** PT Adult Services Librarian Will be advertising internally and externally simultaneously for this position soon.
- B. <u>Matter of Record</u> Following the August HR Committee meeting, legal advice was sought on the continuation of the Health Improvement Program Reimbursement (HIPR). Per the legal guidance received, COG may continue with the reimbursement program as is.
- C. <u>Matter of Record</u> Regional Fire Protection Agency has officially sent out invitations for bid to conduct a hiring assessment center for an Assistant Chief. A second RFP will be sent out in 2022 to conduct a second assessment center to hire a Fire Director.
- D. <u>Matter of Record</u> The Staffing Study in Parks is underway and started with a staff survey.

#### 7. CALENDAR

A calendar with upcoming COG committee, General Forum, and municipal meetings can be found by clicking the following link: COG and Municipal Meeting Overlay Calendar

#### 8. <u>ADJOURNMENT</u>

#### **ENCLOSURES**

<u>Item #</u>	<u>Description</u>
03	Human Resources Committee Meeting Minutes ~ August 4, 2021
05	PT Adult Services Librarian Job Description

#### JOINT MEETING OF THE PUBLIC SERVICES AND ENVIRONMENTAL AND TRANSPORTATION AND LAND USE COMMITTEES

#### Hybrid Meeting Thursday, September 2, 2021 12:15 PM

GENERAL MEETING INFORMATION		
RSVP	To ensure an overall quorum of members, please let us know how you intend to participate: <a href="https://us02web.zoom.us/meeting/register/tZYkdu2rqTIqG914o">https://us02web.zoom.us/meeting/register/tZYkdu2rqTIqG914o</a> RMQ5nVCyPzN4bYpz	
Remote Participants	To attend via Zoom: <a href="https://us02web.zoom.us/meeting/register/tZYkdu2rqTIqG914o_RMQ5nVCyPzN4bYpz">https://us02web.zoom.us/meeting/register/tZYkdu2rqTIqG914o_RMQ5nVCyPzN4bYpz</a> To attend by phone: +1 301 715 8592   Meeting ID: 829 1437 9019   Passcode: 137264	
In-Person Participants	COG Building – Forum Room 2643 Gateway Drive, State College PA 16801	
	Meeting Contact: Marcella Hoffman   email: mhoffman@crcog.net   814-231-3050	
	Click HERE to locate the AGENDA and ATTACHMENTS Should you desire to annotate any attachments, you must download them first	

- The chat feature for this meeting will be disabled. A recording of the meeting will be made available on the COG website upon its conclusion.
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- <u>VOTING PROCEDURES:</u> Members will provide their vote by voice. Clarification will be sought
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  click <u>HERE</u>.
- **PUBLIC COMMENT GUIDELINES:** Members of the public may comment on any items not already on the agenda (five minutes per person). Comments relating to specific items on the agenda should be deferred until that point in the meeting. For additional information on COG public meeting guidelines, please click **HERE**.
- To access agendas and minutes of previously held meetings, and to learn more about the Public Services and Environmental and Transportation and Land Use Committees on our website, please click <u>HERE</u> and <u>HERE</u>.

#### CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite 4 State College, PA 16801

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

## JOINT MEETING OF THE PUBLIC SERVICES AND ENVIRONMENTAL AND TRANSPORTATION AND LAND USE COMMITTEES

Hybrid Meeting Thursday, September 2, 2021 12:15 PM

Written public comment or requests to speak to the PSE/TLU Committees for items not on the agenda, and requests to comment on specific agenda items listed below, may be submitted in advance by emailing <a href="mailto:mhoffman@crcog.net">mhoffman@crcog.net</a>.

#### **Agenda**

- 1. <u>CALL TO ORDER AND ROLL CALL</u> Chair Hameister will call the meeting to order.
- 2. <u>APPROVAL OF MINUTES</u> The minutes of the August 5, 2021 joint meeting of the Transportation and Land Use and Public Services and Environmental Committees are *enclosed*.
- 3. PUBLIC COMMENTS For items not on the agenda.
- 4. <u>REVISIONS TO THE CENTRE REGION BIKE PLAN MAPS AND TABLES</u> presented by Trish Meek

Since adoption of the Centre Region Bike Plan in 2015, some of the Region's municipalities have constructed new bicycle facilities, adopted Bike Plans, and amended Municipal Official Maps to include or remove bicycle facilities. The CRPA recommends revising the Bike Plan maps so that they accurately reflect the changes that have been completed by the municipalities over the past six years. The update will provide Bike Plan maps that accurately reflect existing facilities and provide the most current information for facility users in the Region.

At the time the Bike Plan was adopted, COG did not establish a process to perform bicycle facility updates to the existing Plan on a regular basis. To accommodate current municipal requests, the CRPA suggests that the Joint PSE/TLU Committee direct staff to revise the Centre Region Bike Plan maps and recommended bike tables to include bike facilities that have been constructed and facilities that have been proposed by Centre Region municipalities. This includes facilities approved via formal action or are included in adopted municipal plans or Municipal Official Maps.

The updated maps and tables would be presented to the Joint PSE/TLU Committee for final review, and then to the COG General Forum for formal amendment of the Bike Plan.

In a related item, in December 2020, the League of American Bicyclists announced that the Centre Region's Bicycle Friendly Community (BFC) designation was renewed and elevated from Bronze to Silver. The Centre Region's Silver designation is valid for four years and will require renewal in fall 2024. To assist in elevating the Centre Region to a Gold level designation, the Bike Plan should undergo a major update prior to submission of the renewal application. The CRPA recommends that the Joint PSE/TLU Committee endorse the following task so that it can be added to the CRPA and Centre County Metropolitan Planning Organization (CCMPO) work programs:

Prepare and adopt a new Centre Region Bike Plan prior to fall 2024 when the current Bicycle Friendly Community Silver designation will expire. The CRPA recommends that a consultant be retained to prepare the Bike Plan Update. The CRPA will apply for funding from programs available through the CCMPO work program. The funding may require a local matching share of 10 to 20 percent. Funding considerations will be addressed in the Calendar Year 2023 and 2024 CCMPO Operating Budgets.

Enclosed are the 2015 Centre Region Bike Plan Bicycle Facilities Map, Centre Region Bicycle Facilities Map Summer 2021, and Staff PowerPoint Presentation.

#### Action:

- 1. The Joint PSE/TLU Committee should review the enclosed information, provide any questions or comments to staff, and authorize staff to revise the Bike Plan maps and tables.
- 2. The Joint PSE/TLU Committee should also endorse the preparation of a new Centre Region Bike Plan prior to fall 2024 with the assistance of a consultant so that the work task can be added to the CRPA and CCMPO work programs.

- Attachments: 1. 2015 Centre Region Bike Plan Bicycle Facilities Map
  - 2. Centre Region Bicycle Facilities Map Summer 2021
  - 3. Staff PowerPoint Presentation

#### **Next Steps:**

Staff will prepare revisions to the Bike Plan maps and tables and present the updated information to the Joint PSE/TLU Committee in November for review and referral to the General Forum for adoption.

#### 5. UTILITY-SCALE SOLAR STUDY AND REGULATORY TOOLKIT

At its June 3, 2021 meeting, the Joint Committees received a presentation regarding the utilityscale solar study and regulatory toolkit that CRPA staff has been working on for the past few months. The entire presentation can be found online at this link or on COG's SharePoint agenda website. The presentation covered four topics: utility-scale solar basics, benefits and conflicts, current uses, and agriculture and solar.

During the June meeting, the committee members had a lengthy and detailed discussion regarding regulatory practices and policies related to utility-scale solar uses. There was a consensus from committee members to discuss this topic at their respective board and council meetings and bring back any comments made at a future meeting. Of particular interest was

guidance regarding if and how these uses should be supported in the Centre Region's rural areas and if so, how the Comprehensive Plan's goals related to agricultural uses should be supported.

To help complete this study and finalize the regulatory toolkit, staff requests that Committee members provide any policy direction, comments, or input that was received from their respective boards and councils regarding utility-scale solar uses.

Action: The joint PSE-TLU Committee should provide comments received by

boards and councils on how these uses should be permitted in the Region.

Attachments: None

Next Steps: Staff will finalize the study and toolkit based upon feedback from the

Committee and the CRPC. A final draft will be provided in an upcoming

meeting agenda.

## 6. <u>DRAFT PROPOSAL TO EXPAND HOUSING CHOICE AND OPPORTUNITY IN</u> <u>CENTRE COUNTY</u> – presented by Jim May

At the August 5, 2021 meeting, the Joint Committee discussed a potential approach to expanding housing choice and opportunity in the Centre Region. As a result of that meeting, the CRPA prepared a more detailed draft proposal with specific tasks to understand where there are gaps in the housing market, where there is support for affordable and attainable housing, and how to improve the supply of affordable housing in the Centre Region. The draft proposal addresses five key issues:

- Determine the local drivers of housing costs in the Centre Region (i.e. land availability, labor force, density, regulation, etc.) and if those local drivers exceed average housing costs in similar geographic areas in the nation.
- Determine the affordability gap between what residents can afford and the actual cost of housing in the Centre Region.
- Determine the barriers to building new moderately priced housing in the Centre Region and identify what incentives would encourage homebuilders to build moderately priced housing and how municipalities can partner to address those barriers and increase the inventory of this type of housing.
- Determine the level of community support for integrating moderately priced accessory dwelling units in large existing homes in some zoning districts.
- Determine the level of community support for increasing residential density in some corridors that are close to jobs, transportation, schools, and other community assets.
- Determine other strategies to increase the supply of moderately priced housing in the Centre Region.

Joint Meeting Public Services and Transportation and Land Use Committees Agenda September 2, 2021 Page 4 of 4

Action: The Joint Committee should review the draft proposal, provide any

feedback, and determine how staff should move forward. The proposal is

written to be prepared by a consultant.

Attachments: Draft Affordable Housing Proposal

Next Steps: If requested to move forward, staff will incorporate comments and update

the Joint Committee at a future meeting.

#### 7. OTHER BUSINESS

- a. Matter of Record The next meeting of the joint PSE and TLU Committees will be conducted with the CRPC on Thursday October 7, 2021 at 12:15 p.m. via hybrid meeting technology. This meeting will include a brief review of how the Region has grown over the past decade. The meeting will also include the staff perspective on challenges and opportunities that the Region should plan for in the next decade. These challenges will begin to inform a list of issues and topics to be addressed in the Centre Region Comprehensive Plan Update in 2022 and 2023. Committee members should be prepared to provide additional input regarding challenges and opportunities.
- b. <u>Matter of Record</u> The Pennsylvania Department of Environmental Protection (DEP) approved the Act 537 Special Study Amendment for Ozone Disinfection. Ozone disinfection will replace the aging Ultraviolet (UV) system currently in place. The ozone disinfection system will treat the wastewater to a high level of purity, prior to discharge into Spring Creek.
- c. <u>Matter of Record</u> The municipal resolutions approving the UAJA Biodigester System Special Study have been sent to the UAJA's consultant and will be forwarded to the DEP as part of the final package for DEP formal approval.
- d. Matter of Record Enclosed is a flyer with Fall Bike Events in the Centre Region.

#### 8. ADJOURNMENT

## CENTRE REGION COUNCIL OF GOVERNMENTS JOINT MEETING OF THE PUBLIC SERVICES & ENVIRONMENTAL AND TRANSPORTATION & LAND USE COMMITTEES

#### Minutes Thursday, August 5, 2021

(please refer to the COG audio/video meeting file website when referencing timestamps)

Mr. Hameister called the Thursday, August 5, 2021 hybrid joint meeting of the Public Services & Environmental (PSE) and Transportation & Land Use (TLU) Committees to order at 12:15 p.m.

**PSE/TLU Members Present:** Lisa Strickland, Ferguson Township; Dennis Hameister, Harris Township; Theresa Lafer, State College Borough; Eric Bernier, College Township; Frank Harden, Harris Township; Danelle Del Corso, Halfmoon Township; Betsy Whitman, Patton Township; Pam Robb, Patton Township; Deanna Behring, State College Borough; Neil Sullivan, Penn State University

Others Present: Jim May, Centre Regional Planning Agency (CRPA) Director; Mark Boeckel, CRPA Principal Planner; Pam Adams, CRPA Sustainability Planner; Corey Rilk, CRPA Senior Planner; Greg Kausch, CRPA Senior Transportation Planner; Trish Meek, CRPA Senior Transportation Planner; Marcella Hoffman, CRPA Office Manager; Shelly Mato, COG Refuse and Recycling Coordinator; Scott Binkley, COG Administration Office Manager

\*Please note that while the PSE and TLU Committees continue to work on merging, there may be multiple representatives from each municipality attending meetings; however, each municipality represents one vote for action items.

#### **APPROVAL OF MINUTES (00:02:24)**

Motion was made by Mr. Harden and seconded by Ms. Robb to approve the minutes of the June 3, 2021 joint meeting of the PSE and TLU Committees, as presented. The motion carried unanimously.

#### **PUBLIC COMMENTS (00:02:48)**

There was no public comment.

## ADOPT THE DRAFT RESOLUTION FORMING THE LAND USE AND COMMUNITY INFRASTRUCTURE (LUCI) COMMITTEE (00:03:00)

Mr. May provided a brief overview of the General Forum's actions from late 2020 to create several new standing committees and to merge the existing PSE and TLU Committees. He stated that previous joint meetings of these two committees have included discussion to include new responsibilities for the merged committee to work on. CRPA staff will continue to work on drafting responsibilities for the merged committee for discussion at a future meeting.

The Committee members had a brief discussion regarding the mission statement within the draft resolution. There was consensus to remove the mission statement and additional Committee responsibilities for discussion after the Committees are officially merged in January 2022.

Motion was made by Ms. Del Corso and seconded by Mr. Bernier to endorse the draft Resolution, without the mission statement and additional responsibilities within the resolution, creating the Land Use and Community Infrastructure Committee and to forward the resolution onto the COG Executive Committee for inclusion in the next General Forum agenda. The motion carried unanimously.

Public Services & Environmental and Transportation & Land Use Committees Joint Meeting Minutes August 5, 2021 Page 2

#### **UPDATE ON THE ACCESSORY SCALE SOLAR PROJECT (00:16:43)**

The Committees received a presentation from CRPA staff regarding an update to the Accessory Solar project that CRPA staff has been working on over the past few months. Discussions with local solar installers, the Centre Region Code Agency, and municipal zoning officers has taken place to explore ways to improve and expedite the solar permitting and inspection process. The goal is to create streamlined information to be placed on the COG website to act as a guide for residents who want to install solar.

CRPA staff is continuing work on best practices for regulating solar to create regional consistency, including height, aesthetic requirements, lot coverage, setbacks, roof coverage, glare, and regulating solar panels based on area. CRPA staff hopes to have the accessory use solar hub ready by the end of September and will continue to research potential recommendations to integrate best practices and work towards regional consistency

## A PROPOSAL TO EXPAND HOUSING CHOICE AND OPPORTUNITY IN CENTRE COUNTY (00:40:27)

Mr. May presented a proposal for an opportunity for the CRPA to potentially address regional and local affordable housing issues by utilizing consulting services. Although the Joint Committee has not yet determined the roles the CRPA should take with affordable housing issues, the Centre County Association of Realtors (CCAR) and the Central Pennsylvania Homebuilders Association (Homebuilders) have potential funding available to prepare a consultant study to recommend how to increase the inventory of attainable housing in Centre County. The study would complete the following tasks:

- Market analysis of regional and local demographic data and trends
- Needs and gaps analysis that will identify where Centre Region housing needs are or are not being met
- Development of housing goals through a facilitated discussion with stakeholders in the community
- Define affordable housing and attainable housing
- Analyze barriers that identify the factors preventing the development of affordable and attainable housing options
- Develop an action plan that includes short- mid- and long-range recommendations, policies, and strategies to achieve the goals for housing affordability that are specific to the Centre Region
- Develop an implementation and evaluation program to effectively implement and monitor progress using metrics that are easily compiled, tracked, and updated specifically for the Centre Region

The Committee members had a detailed discussion regarding specifics of the scopes of work and funding for both agenda items related to housing (A Proposal to Expand Housing Choice and Opportunity in Centre County and Affordable Housing and Homelessness Services Gap Analysis and Action Plan).

There was general consensus from the Joint Committee members to support the proposed study and direct staff to continue to work with the CCAR and Homebuilders to refine the scope of work and obtain funding for a study to help expand housing choice and opportunity in Centre County.

Public Services & Environmental and Transportation & Land Use Committees Joint Meeting Minutes August 5, 2021 Page 3

## <u>AFFORDABLE HOUSING AND HOMELESSNESS SERVICES GAP ANALYSIS AND ACTION PLAN (00:45:38)</u>

Mr. May presented a proposal regarding an Affordable Housing and a Homelessness Services Gap Analysis and Action Plan to be funded potentially by local American Rescue Plan Act (ARPA) funds from the Centre Region municipalities. This study would complete the following tasks:

- Quantify affordable housing and homelessness needs for the Centre Region and each municipality
- Evaluate the collective capacity of the regional housing service providers network to meet those needs
- Identify gaps in the availability of affordable housing options
- Outline options to address the gaps
- Recommend actions needed to improve the regional housing services network capacity to meet underserved affordable housing and homelessness needs.

This Plan should be completed so that the CRPA staff and elected officials will have formal recommendations that can be programmed into future work for the Agency if it is decided that the Agency should take a more active role in specific affordable housing issues. A detailed scope of work has not been developed, but it is anticipated that the Plan, if funded, will follow a similar format to a Plan recently developed for the Borough of State College.

The Committee members had a detailed discussion regarding specifics of the scopes of work and funding for both agenda items related to housing (A Proposal to Expand Housing Choice and Opportunity in Centre County and Affordable Housing and Homelessness Services Gap Analysis and Action Plan).

There was a general consensus from Joint Committee members to support the proposed study and to direct staff to refine the scope of work related to the Affordable Housing and Homelessness Services Gap and Action Plan to bring back for further discussion at a future meeting.

#### OTHER BUSINESS (01:24:09)

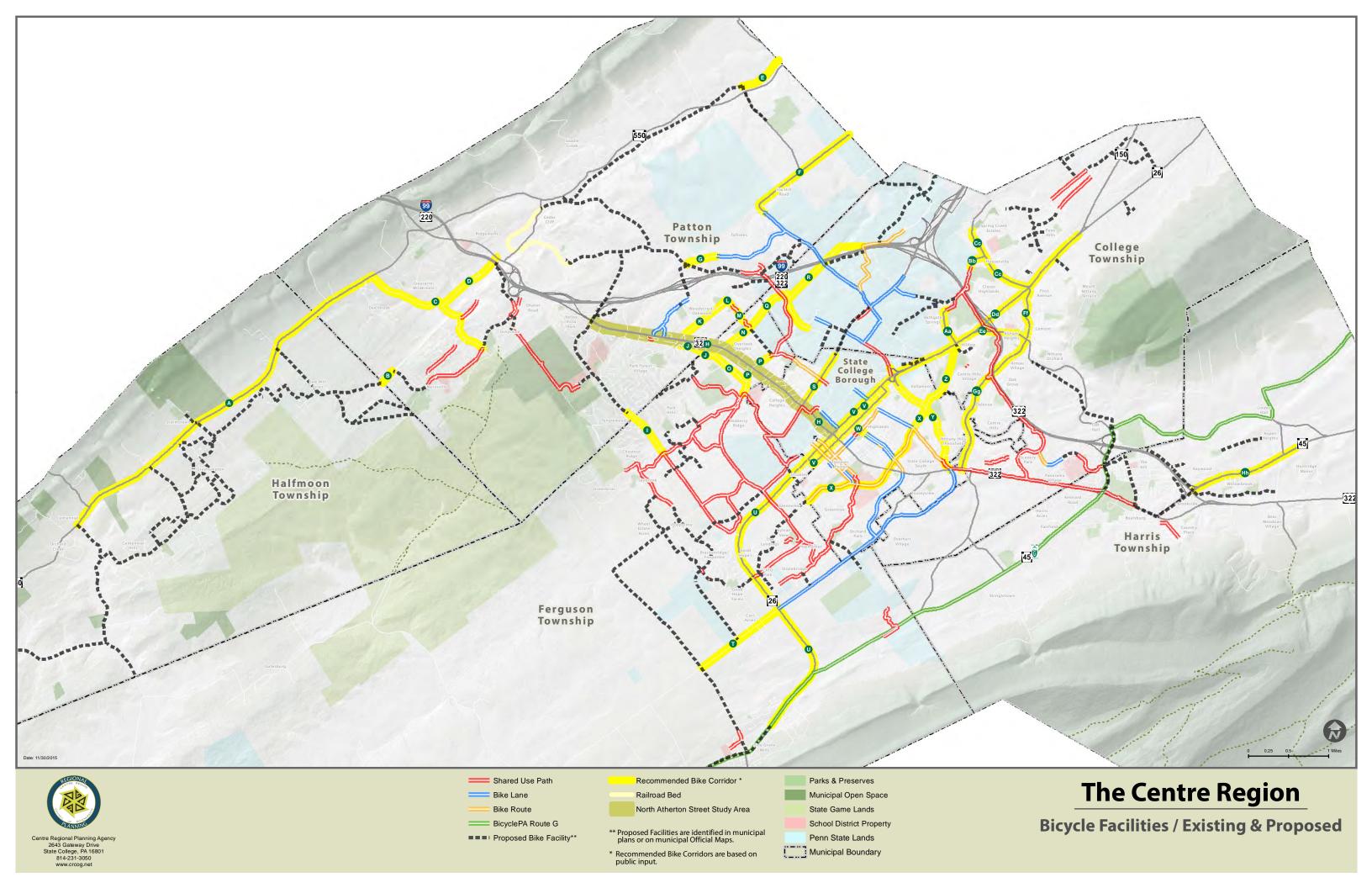
The next meeting of the joint PSE and TLU Committees will be on September 2, 2021 at 12:15 p.m. via hybrid meeting technology.

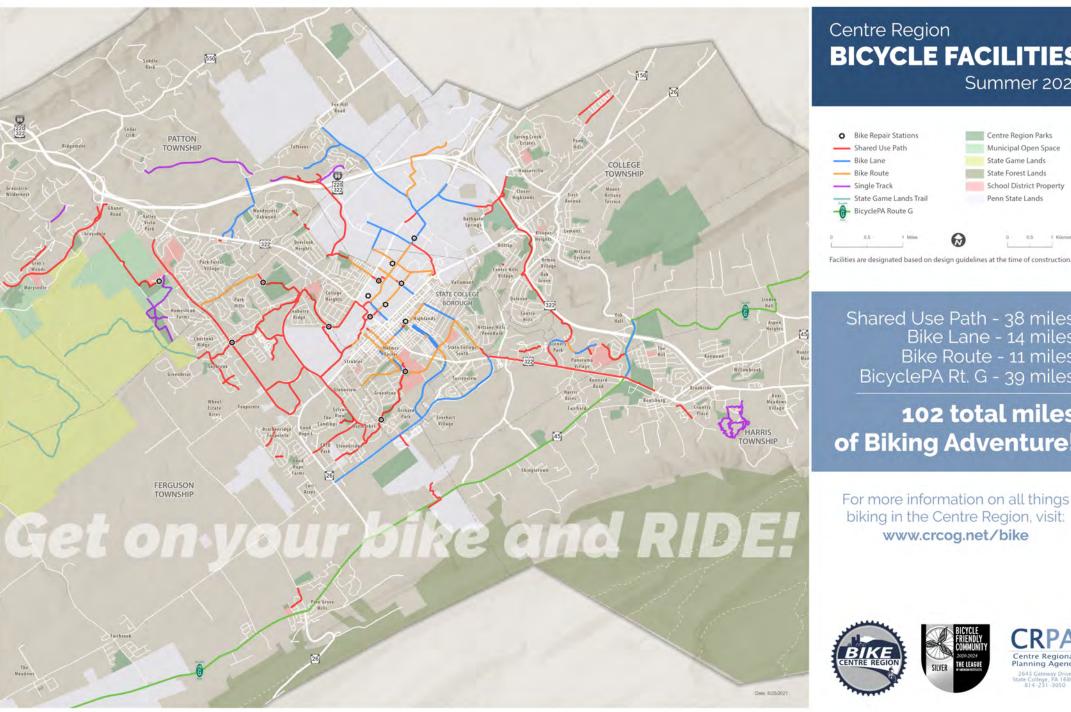
#### **ADJOURNMENT**

There being no other business, the August 5, 2021 joint meeting of the PSE and TLU Committees was adjourned at 1:48 p.m.

Respectfully submitted,

Marcella Hoffman Recording Secretary





#### Centre Region **BICYCLE FACILITIES**

Summer 2021



Shared Use Path - 38 miles Bike Lane - 14 miles Bike Route - 11 miles BicyclePA Rt. G - 39 miles

### 102 total miles of Biking Adventure!

For more information on all things biking in the Centre Region, visit: www.crcog.net/bike







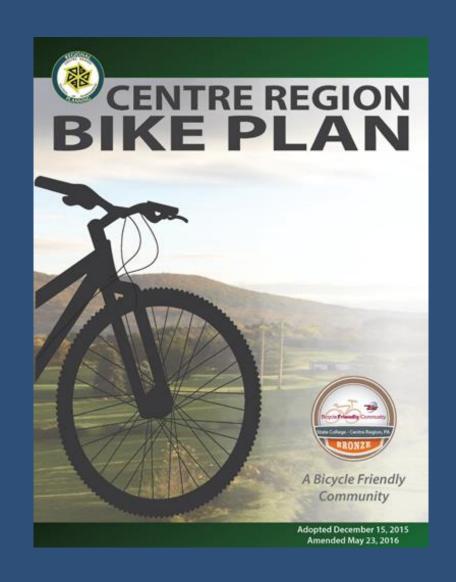
## CENTRE REGION BIKE PLAN MAP AND TABLE REVISIONS

Joint Meeting of the Public Services and Environmental and Transportation and Land Use Committees

September 2, 2021







## CENTRE REGION BIKE PLAN

- Adopted December 12, 2015
- Amended May 23, 2016

Centre Region Designated Silver Bicycle Friendly Community December 2020





# BIKE PLAN TABLES



Recommendations



Figure 38: Recommended Bike Corridors

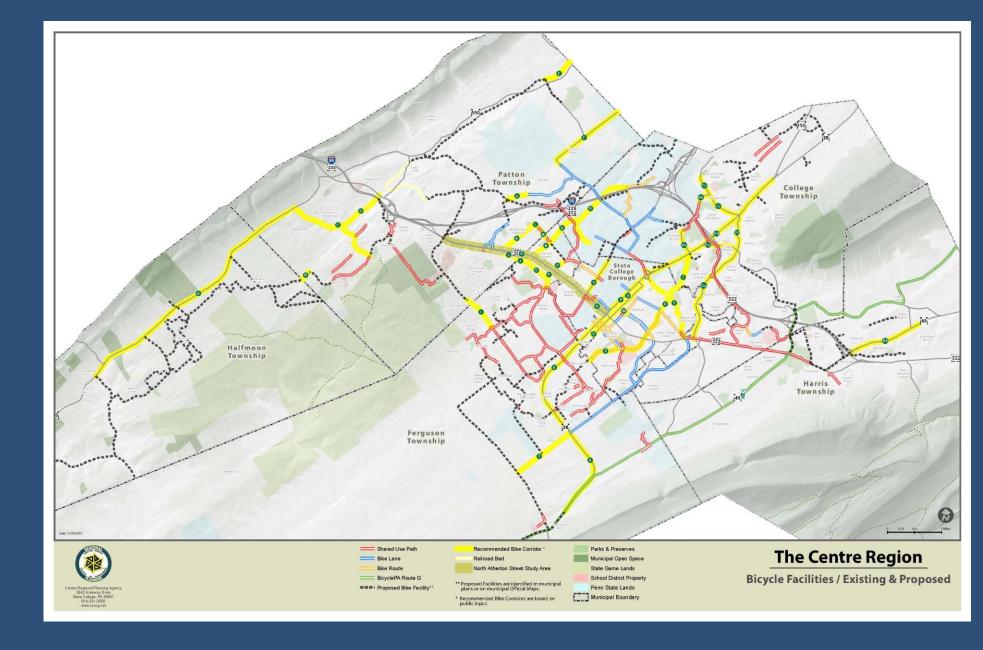
ID	RECOMMENDED BIKE CORRIDOR	MUNICIPALITY
Α	State Route 550 - Marengo Rd to Meeks Ln	Halfmoon, Patton
В	Sawmill Rd to Gray's Woods Path to Gray's Woods Blvd	Patton
С	Meeks Ln - State Route 550 to Gray's Woods Blvd	Patton
D	Sellers Ln - Meeks Ln to Stevenson Rd	Patton
Е	Bellefonte Central Railroad Right-of-Way - Bernel Rd to Benner Twp line	Patton
F	Fox Hill Rd - Fox Hollow Rd to Benner Twp line	Patton
G	Toftrees Ave - Cricklewood Dr to Waddle Rd	Patton
Н	North Atherton Street Study Area - Valley Vista Dr to Route 26 College Ave	Patton, Ferguson, State College
I	Valley Vista Dr - Devonshire Dr to Tudek Circleville Path	Patton, Ferguson
J	Connection from Comflower Ln to Martin St	Patton, Ferguson
К	Clearview Ave - North Atherton St to Alder Crt	Patton
L	Alder Crt - Clearview Ave to Marjorie Mae Park	Patton
М	Marjorie Mae St - Marjorie Mae Park to Vairo Blvd	Patton, Ferguson
N	Aaron Dr - Martin St to Curtin St	Ferguson
0	Martin St - Aaron Dr to Blue Course Dr	Ferguson
Р	Clinton Ave - Teaberry Ln to Clinton Ave McKee St Bikeway	Ferguson
Q	Rocky Top Ln - Curtin St to Big Hollow Rd	Ferguson, College
R	Big Hollow Rd - Rocky Top Ln to Innovation Park and Services Rd	College
S	Park Ave - North Atherton St to Bigler Rd	State College
Т	Whitehall Rd - Nixon Rd to College Ave	Ferguson
U	State Route 26 West College Ave - Rosemont Dr to Buckhout St	Ferguson
٧	College Ave / Calder Aly / Beaver Ave Corridor - Buckhout St to High St	State College
W	Allen St - Foster Ave to College Ave	State College
Х	Easterly and Westerly Parkways - Corl St to University Dr	State College
Υ	University Dr - East College Ave to South Atherton St	State College
Z	Walnut Spring Ln through Thompson Woods - University Dr to East College Ave	College
Aa	Puddintown Rd - East College Ave to Orchard Rd	College
Bb	Puddintown Rd - Spring Creek Ln to Houserville Rd	College
Сс	Houserville Rd - Creekside Dr to East College Ave	College
Dd	State Route 26 East College Ave - High St to State Route 150	College, State College
Ee	Elmwood Ave - East College Ave to Pike St	College
Ff	Pike St - Elmwood Ave to East College Ave	College
Gg	East Branch Rd - South Atherton St to Elmwood Ave	College, State College
Hb	State Route 45 - Mount Nittany Expx to Rosslyn Rd	Harris

Source: Centre Regional Planning Agency 2015

December 15, 2015 56 | Page



# BIKE PLAN MAPS





# EXISTING BICYCLE FACILITIES



# Centre Region **BICYCLE FACILITIES**Summer 2021



Shared Use Path - 38 miles Bike Lane - 14 miles Bike Route - 11 miles BicyclePA Rt. G - 39 miles

102 total miles of Biking Adventure!

For more information on all things biking in the Centre Region, visit: www.crcog.net/bike









# **EXAMPLE: CONSTRUCTED FACILITIES**







## **ACTIONS:**

Authorize staff to revise the Bike Plan maps and tables.

 Endorse the preparation of a new Centre Region Bike Plan prior to fall 2024 with the assistance of a consultant so that the work task can be added to the CRPA and CCMPO work programs.



# A REQUEST FOR PROPOSAL TO EXPAND HOUSING CHOICE AND OPPORTUNITIES

### **Centre Region**

September 2, 2021



Centre Region Council of Governments Request for Proposal September 2, 2021 Page 2 of 5

#### **PURPOSE**

The Centre Region Council of Governments (COG) is seeking the services of a qualified firm, or team of firms to provide professional services to complete a Housing Needs Assessment that will expand housing choices and opportunities in the Centre Region. The Assessment will provide current demographic and economic characteristics and will forecast trends expected over the next 20 years. The trends will identify current community housing gaps, needs, and recommendations and will inform the preparation of specific strategies that will help expand housing choice and opportunities for residents of the Centre Region to find affordable and attainable housing in the area.

The selected consultant team will work with stakeholders to develop realistic solutions that address strengths, weaknesses, and problems in the local housing market that can be addressed by the Centre Region. The selected consultant will also identify problems where current public policy remedies are not sufficient to resolve the problem and propose changes that could utilize public and private sector participation to resolve affordable and attainable housing in the Centre Region/County.

#### **KEY ISSUES TO ADDRESS**

- 1. Determine the local drivers of housing costs in the Centre Region/County (i.e. land availability, labor force, density, regulation, etc.) and if those local drivers exceed average housing costs similar geographic areas in the nation.
- 2. Determine the affordability gap between the what residents can afford and the actual cost of housing in the Centre Region.
- 3. Determine the barriers to building new moderately priced housing in the Centre Region and identify what incentives would encourage homebuilders to build and municipalities can partner to address those barriers and increase the inventory of this type of housing.
- 4. Determine the level of community support for integrating moderately priced accessory dwelling units in large existing homes in some zoning districts.
- 5. Determine the level of community support for increasing residential density in some corridors that are close to jobs, transportation, schools, and other community assets.
  - 6. Determine other strategies to increase the supply of moderately priced housing in the Centre Region.

#### **BACKGROUND INFORMATION**

The Centre Region is located in central Pennsylvania and is home to the Pennsylvania State University (PSU). There are many local influences that price many local residents out of the housing market. These influences include, but are not limited to:

A seasonal population influx and peek population during the academic year at Penn State
University from August to May annually. During this period the population swells by
approximately 40,000 people. This results in student rental units driving up the costs of other
rental housing in the Centre Region.

Centre Region Council of Governments Request for Proposal September 2, 2021 Page 3 of 5

- Single family homes converted to student rentals near the PSU campus also displace permanent full-time residents from those units.
- "Football weekend" homes and second homes. These units generally remain vacate for long periods of time annually and are occupied during football weekends, other special events, and other visits by the owners.
- Many jobs in the Centre Region are in the service, retail, and medical-related sectors where
  wages have not kept up with increases in the cost of housing.
- Investor properties.

#### Market Analysis

- 1. Compare median single-family sales prices and median household income between 2000 and 2020 for the Centre Region and each Centre Region Municipality. Provide a summary of changes over the past 20 years including any escalations in the gap between average costs of a home and median household income.
- 2. Determine the supply of affordable housing between 2000 and 2020 by comparing the number of homes sold in the affordable range versus homes sold fair market value (sales that were made in the affordable range to a family based upon median household income). This comparison should determine the percentage of sales of affordable priced units as a percentage of total annual home sales and the total number of units sold annually in the affordable range.
- 3. Inventory rental properties in the Centre Region including the total number of units, the number of bedrooms in each unit, target population, aggregate current rent for units that are rented by the bedroom and rent for apartments not rented by the bedroom.
- 4. An analysis of County, regional, and municipal demographic data and trends including household growth, population and household characteristics, household income and tenure.
- 5. An assessment of the impact of student housing on affordable housing in the Centre Region
- 6. An assessment of if the Centre Region should have a specific definition of affordable housing and attainable housing based upon the information from the market analysis and what that definition should be if it is needed.
- 7. Determine the cost of local regulations on the construction of a typical single family home in the Centre Region (cost of permits, zoning if necessary, standard improvements, sewer and water hook ups, etc.).

Determine what the supply of affordable housing should be in 2020 using the data collected for the Market Analysis.

#### Needs and Gap Analysis

1. Forecast the amount of affordable housing inventory the Centre Region should have based upon population growth projections, anticipated housing markets (for example, how much additional rental versus how much owner occupied, price points, bedroom needs), and anticipated enrollment at Penn State.

Centre Region Council of Governments Request for Proposal September 2, 2021 Page 4 of 5

- 2. This analysis will forecast 20 years into the future, using 5-year intervals.
- 3. Prepare three plausible forecasts that take into consideration high, medium, and low growth scenarios for the full-time resident population and student enrollment at PSU.
- 4. The three forecasts will determine where Centre Region housing needs are, or are not being met, and where the shortcomings and strengths will continue into the future if no course changes are made to the housing market or Regional housing policies are not implemented.

#### **Housing Goals**

- 1. Facilitate discussions with key stakeholders in the community to engage the community.
- 2. Use the data collected, stakeholder and community input, committee input, and staff input to create goals to expand the availability of affordable housing in the Centre Region/County.
- 3. Develop a context-specific definition of affordable housing and attainable housing in the Centre Region/County.

#### Identification and Analysis of Barriers

Identification of factors preventing the development of housing choices that provide affordability. This will identify how the development of housing in the Centre Region/County is hindering or helping the affordable and attainable housing market. This may include:

- 1. Community sentiment such as the quality of density of affordable and attainable housing options, perceived neighborhood impacts, and other neighborhood barriers such as potential student housing in neighborhoods.
- 2. Review of zoning, subdivision, and building regulations in the Centre Region/County and an assessment of how regulations contribute to the lack of affordable and attainable housing in the Region/County.
- 3. Local lending and financing environment to identify any barriers to specific populations, neighborhoods, and housing types that may need to be addressed.
- 4. Federal, state, and local funding programs, and private sector funding/investment opportunities and impacts of market forces, such as cost and availability of developable land, infrastructure and utility costs, impact of student rental housing, impact of second home buyers, and impact of homes purchased for investors.

#### Policies, Strategies, and Recommendations

Develop specific short-, mid-, and long-range policies, strategies, and programs to achieve the goals for affordable and attainable housing. This will include policies, strategies, and recommendations to address the specific issue in the Centre Region/County and may include the following:

- 1. Recommendations for methods to consider architecturally integrated accessory dwelling units in existing single-family homes
- 2. Recommendations for increasing residential density in some transportation corridors.
- 3. Unique, innovative, and tailored policies and strategies to promote moderately priced single family ownership options for affordable and attainable housing in the Centre Region/County.

Centre Region Council of Governments Request for Proposal September 2, 2021 Page 5 of 5

- 4. The potential of transitioning older multi-family projects from student housing projects to affordable or attainability housing in the Centre Region/County.
- 5. Partnership, leverage, and staffing capacity recommendations to support recommendations.

#### Evaluation and Monitoring of Policies, Strategies, and Recommendations

Prepare an implementation and monitoring program to routinely evaluate and measure progress and effectiveness of policies, strategies, and programs. The implementation and monitoring program should be data driven and spatially relevant to the Centre Region/County and each Centre Region municipality. Metrics should be specific, easily complied, tracked, and updated.

#### Public Participation

The consultant will develop and implement a broad ranging community engagement program that creates a process for community input and targeted stakeholder involvement. It is anticipated that the COG Joint Public Services and Environmental and Transportation and Land Use Committees will provide oversight of the project.

- Outreach methods must ensure participation of low income and minority communities and current users of affordable housing in the Region.
- The process should include both large community workshops and smaller focus groups throughout the process.
- Public participation will include the following at a minimum:
  - o Identification of stakeholders
  - Engagement strategies and activities tied to reaching all groups, including underrepresented groups.
  - Timeline for events and activities during the process and the desired feedback from each event.
  - Providing updates to the PSE and TLU Committees and Regional Planning Commission.

#### Statement on COVID-19 Precautions

The Centre Region follows the latest guidelines of the Centers for Disease (CDC) guidelines. Most individuals in the community have access to meetings on-line; however, the consultant should be prepared to provide other tools for reaching stakeholders. The Centre Region is open to public participation that can yield the most effective way to reach stakeholders and others.

# FALL 2021 BIKE EVENTS



#### **AUGUST**

- 20 Bike In Movie Moana Circleville Park
- 27 Sunset Park Bike Commuter Coffee
- 27 Rain Date: Bike In Movie Moana Circleville Park

#### **SEPTEMBER**

- 1 Virtual Biking in the Centre Region 101
- 8 L'il Striders (ages 4 -6) Wednesdays through October 6
- 9 LION Bash Bike Info Table
- 13 CentreBike Monthly Meeting
- 14 Nittany Mountain Biking Association (NMBA) Monthly Meeting
- 18 NMBA Fall Social Ride
- 21 Centre Region Bicycle Advisory Committee Quarterly Meeting
- 22 Virtual Bike Commuting 101

#### **SEPTEMBER 24**

# **Fall Bike Anywhere Friday**RIDE | REGISTER | WIN

Ride your bike to work, school, shop, eat or for fun in the Centre Region and register to WIN a \$50 gift card to a local bicycle shop at crcog.net/bikes

- 24 Bike Commuter Coffee State College Municipal Building Plaza
- 25 Adventure Cycling Bike Your Park Day

#### **OCTOBER**

- 11 CentreBike Monthly Meeting
- 30 Third Annual State College Cranksgiving

#### **NOVEMBER**

- 6 Rain Date: Third Annual State College Cranksgiving
- 16 Centre Region Bicycle Advisory Committee Quarterly Meeting

For more information, visit: www.crcog.net/bikes

The Centre Region is a Bicycle Friendly Community



#### Manager's Report September 7, 2021

- A communication was sent to Penn State's Office of the President concerning the Board's request that the University reconsider its position on mandating the COVID-19 vaccine. A response letter was received from President Barron to the COG General Forum and is attached to this report.
- 2. The Pine Grove Mills Small Area Plan Advisory Committee met on Thursday, August 26<sup>th</sup>. The agenda included follow-up discussions from the inaugural Route 45 Getaways! event and the walking tour of Pine Grove Mills.
- 3. Staff met with University officials regarding the Taskforce on Policing in Communities of Color report. Dr. Emil Cunningham is scheduled to present on the report's findings to the Board of Supervisors on October 4<sup>th</sup>.
- 4. The screening committee interviewed respondents to the Strategic Plan Request for Proposals on Tuesday, August 31<sup>st</sup>. A recommendation for an award will be on the September 20<sup>th</sup> Regular Meeting agenda.



Eric J. Barron
President
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August 24, 2021

Mr. Dennis Hameister Chair, Centre Region Council of Governments 2643 Gateway Drive State College, PA 16801

#### Dear Chairman Hameister:

Thank you for writing to me endorsing a vaccine mandate for students at Penn State. Throughout the course of the pandemic, Penn State and Centre Region governments have worked closely and productively, by information sharing, alignment of university and municipal policies, health information communications, vaccination clinics, and more. In this case, however, I was extremely disappointed by the tone and tenor of your letter, especially the singling out of Penn State students.

Your letter treated students as if they are not vital members of our community, but "others" who are unwanted visitors. Students are an incredibly important part of our community and should be treated as such. Importantly, Penn State students are vaccinated at a higher rate than most of Centre County. The vaccination rate for Centre County is at 57% for those above 18 years of age, significantly less than all categories of Penn Staters—faculty, staff and especially students. Consider the following data points:

- Of the 13,428 students checked in to our residence halls over the past several days, more than 82% are fully vaccinated. As of the signing of this letter, we have a total of six students in quarantine and isolation. Positive tests for those who have not already uploaded proof of vaccination are less than 1%. Many of the tested students are in progress of being vaccinated in the two-step process. The requirement of weekly testing will further increase vaccinations.
- Vaccination proof or weekly testing is also required of employees as well as students. As
  of August 20, administrators and academic personnel were vaccinated at 94% and 82%,
  respectively. The total for all full-time staff is 72%.

This progress is no accident. Penn State has made vaccination easy, incentivized it, put in place a testing and enforcement mechanism for those who are not vaccinated, required arrival testing for any student prior to accessing a residence hall room if they have not uploaded their vaccination status, put in place an indoor masking requirement, among many other steps. Our community, and especially our students, has stepped up to the plate. On the other hand, not one of the municipalities in the Centre Region are requiring mandates for your own personnel or in your buildings nor has COG encouraged its citizens to be vaccinated at anywhere near the scope that Penn State has.

Mr. Dennis Hameister August 24, 2021 Page 2

I think we would be better off to focus on the kind of productive partnership we have developed through the pandemic. Letters like the one you sent only perpetuate the myth that Penn State and local leaders do not work collaboratively to solve challenges in our community.

Sincerely,

hi 1 B m -

Eric J. Barron

c: Mr. Eric Norenberg, COG Executive Director



#### TOWNSHIP OF FERGUSON

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# Public Works Director's Report to the Board of Supervisors (BOS) for the regular meeting on September 7, 2021

- Public Works Road Crew Activities Road crew work for the week of September 7<sup>th</sup> includes brush collection and leaf collection and mowing. Planned work for the week of September 13<sup>th</sup> includes inlet repairs and mowing.
- 2. Arborist and Tree Commission Activities- The Tree Commission meets on September 20<sup>th</sup>. The agenda includes a discussion on maintenance of trees in the PennDOT right of way in Pine Grove Mills. Arborist interviews are complete. Our part time arborist has agreed to stay until the end of September. He is busy responding to tree concerns from residents, reviewing specifications for a tree pruning contract, and preparing a tree preservation plan and investigating tree impacts (public and private) for the Park Hills Drainageway Improvement Project.
- 3. Stormwater Fee An informational session was hosted by the Public Works Director and Township Engineer on the evening of August 17<sup>th</sup> on eligibility requirements and how to apply for stormwater fee credits and exemptions. Application forms for credits and exemptions are available on our webpage, by mail, or in person. A public facing interactive map is available on our website allowing property owners to enter an address or click on a parcel and view information such as the assigned fee. Educational videos and articles are posted on our web page and released via various media platforms. Staff continues to answer questions from property owners and assist applicants with filling out forms.
- 4. **Contract 2016-C11 Traffic Signal Performance Metrics –** The project is out to bid for an opening on September 9<sup>th</sup>.
- Contract 2018-PWGGS Rooftop Photovoltaic on FTPW Building 6 Work was awarded to Envinity. The contractor is in the process of preparing submittals for review and acquiring materials.
- 6. Contract 2018-C20 Park Hills Drainageway –Design work continues. Completion of design, permitting, easement acquisition, utility relocation this year are needed to progress the project toward construction in 2022. Recent work on the project has centered on improvement options for the steepest reach of the channel and development of a tree protection plan. Plans are underway with UAJA to best accommodate the relocation of a section of sanitary sewer line in the drainageway. Work continues on the utility relocation and coordination with West Penn, Comcast, and homeowners.

- 7. Contract 2019-C21 Pine Grove Mills Street Light Conversion: Design work continues. The next step in the process is submitting design information to PennDOT for a highway occupancy permit and finalizing design plans.
- 8. Contract 2020-C18 Science Park and Sandy Drive Signal Design Design of the traffic signal will be completed in-house. Signal design is progressing with the next step being utility coordination and subsurface utility engineering. Progress has been slow due to other project priorities.
- 9. Contract 2020-C20 Pine Grove Mills Mobility Study The working group led by Rob Watts of MTA had a kickoff meeting. A representative of the Pine Grove Mills Small Area Plan Committee and a rep. from the Planning Commission have since been invited to be part of the group. The first public engagement meeting is tentatively planned for the evening of September 30<sup>th</sup>.
- **10. Pine Grove Mills Bike and Pedestrian Improvements Project (Transportation Alternatives Set-Aside Program Grant Application) –** Staff submitted the pre-application to PennDOT on August 13<sup>th</sup>. The final application is due October 15<sup>th</sup>. The project includes: 1). Installing approximately 890 linear feet of concrete sidewalk on the west side of SR6 Water Street from the flashing traffic light (SR26/SR45 intersection) south to Chestnut Street. 2). Performing shoulder widening to accommodate bike lanes on SR45 for approximately 4,125 linear feet both sides from a point 350 feet west of the St. Paul Lutheran Church to Ross Street. Painting bike legends on the shoulders. 3). Installing rectangular rapid flashing beacon at existing bike crossing on Nixon Road between Sunday Drive and Chester Drive. 4). Installing signs and legends for sharrows from St Paul Lutheran Church on SR45 to the RRFB on Nixon Road to provide connectivity of bikepaths.
- 11. Contract 2020-C21 Pine Grove Road & Water Street/Nixon Road Signal Warrant Study Data collection in progress.
- 12. Contract 2021-C3 Cured in Place Pipe Lining This project includes lining old corrugated metal storm pipes predominately in the Brackenridge neighborhood based on a completed video assessment of the pipes. Work is in design. Expect to let bid this fall.
- 13. Contract 2021-C5 Storm Sewer Cleaning and Video Assessment This project includes cleaning existing storm pipes and televising the system to document the condition of pipes. This project is out to bid for an opening on September 14<sup>th</sup>.
- 14. Contract 2021-C11 Sidewalk Repairs A contract was awarded to Ameron Construction. Each year FTPW Engineering Section inspects a portion of the public sidewalks. Property owners were sent notices to fix deficient sidewalk sections and given an opportunity to fix it themselves or have the Township perform the work by contract and bill the property owner. Residents had until Aug 30<sup>th</sup> to complete work themselves, after which time work will be completed by our contractor.
- 15. Contract 2021-C12 Traffic Signal Cabinet Installation Work includes upgrading the cabinet at the intersection of Science Park Road and West College Avenue. Foundation

- complete, cabinet will be reset this fall. Waiting for material delivery for the pole under separate contract to finish this contract.
- 16. Contract 2021-C15 Street Tree Pruning Each year a certain number of street trees are pruned to include shaping, clearance, deadwood removal, and hazard mitigation. Design work is in progress.
- 17. Contract 2021-C16 Chesapeake Bay Pollutant Reduction Plan (CBPRP) Design and Permitting In compliance with our MS4 permit and CBPRP, certain projects will be advanced through the design and permitting phase. Sent notice of intent to enter to property owners in project area. NTM is preparing a scope and price proposal to do the design and permitting.
- 18. Contract 2021-C18 Homestead Park Play Equipment Installation FTPW will procure equipment through COSTARS and solicit quotes for installation. Work is in design. FTPW will perform the site work before and after the install.
- 19. Contract 2021-C20 Songbird Sanctuary Plan Implementation A yet to be formalized scope of work including a perimeter walking path and tree planting will be moved forward by FTPW.
- 20. Contract 2021-C21 Signal Luminaire Conversion to LED This project includes converting select overhead lighting at traffic signal intersections from high pressure sodium to LED. Purchase order processed and contract signed for installation. Anticipate work in October by Stouse Electric. Awaiting material delivery.
- 21. Contract 2021-C23 Traffic Signal Pole Replacement Work includes replacement of a traffic signal pole at the intersection of West College Avenue and Science Park Road. The pole was damaged in a vehicle accident. The contract was awarded. Work is in progress. Awaiting pole delivery.
- 22. Asset Management and Work Order Software FTPW will utilize TRAISR software for both asset management and work orders subject to the Centre Region Code entering into a contract with this vendor for permitting software since we will have access to the software for no additional cost. Implementation may not occur until the end of 2022. The Public Works Director is meeting with TRAISR reps and the Centre Region Code Director to review opportunities for FTPW to start using the software sooner.
- 23. Traffic Calming Study for sections of Havershire Boulevard, Circleville Road, and Rushcliffe Street Requested roads are eligible for traffic calming. Study area was defined. Data collection is in progress.
- 24. Traffic Study at the Intersection of Cherry Lane and Martin Street The crosswalk study is complete. The cross walk is striped. A work order is submitted to trim branches obstructing signs and install new signage. The Township Engineer recommends overhead lighting. Traffic data collection is in progress. Once the data is collected it must be analyzed along with a review of the intersection stop controls and the Township Engineer will provide any recommendations on stop conditions at this intersection.



## TOWNSHIP OF FERGUSON

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#### PLANNING & ZONING DIRECTOR'S REPORT

Tuesday, September 7, 2021

#### PLANNING COMMISSION

The Planning Commission met August 23, 2021 to review a Conditional Use Permit for 1350 Greenwood Circle.

#### LAND DEVELOPMENT PLANS AND OTHER PROJECTS

- 1. Active Plans are listed below for the Board of Supervisors (08/26/2021).
  - West College Student Housing Lot Consolidation and Land Development Plan
     (24-002A-015; 24-002A-016; 24-002A-017; 24-002A-018; and 36-010-006)
  - Rogan/Sycamore Drive Subdivision (24-009A-254)
  - The Peace Center/Cemetery—Islamic Society Land Development Plan (24-004-078C-0000)
  - Nittany Dental Land Development Plan (24-004-079E-0000)
  - JL Cidery Land Development Plan (24-004-092B-000)
  - Farmstead View Subdivision (24-022-306-0000)
  - Orchard Square Land Development Plan (24-004-067F-0000)
- 2. Community Planner attended the PSU Webinar Series on Riparian Buffers.
- 3. PZ Director attended the APA webinar on the Senate-passed Infrastructure Legislation.
- 4. PZ Director and Zoning Administrator met with a resident about zoning violations and compliance with the Township's ordinances.
- 5. PZ Staff and Township Engineer met to review/discuss a potential land development plan.
- 6. PZ Director attended the Crisis Management Team meeting, Pine Grove Mills Small Area Plan Advisory Committee meeting and met with the Solicitor to discuss a subdivision plan and potential ordinance amendments.
- 7. PZ Director and Township Manager attended the Executive Session with the Board of Supervisors.
- 8. Community Planner is researching Short Term Rentals for RVs, Riparian Buffer Overlay Ordinances, and is compiling additional Zoning/SALDO Amendments.

#### **ZONING HEARING BOARD**

The Zoning Hearing Board met August 24, 2021 to hear the following variance request:

Rita's Italian Ice—1609 N. Atherton Street (24-010-017-0000), zoned General Commercial (C), is requesting a variance from §27-209.1. and E. Yard Requirements. The applicant is proposing to have an awning projecting beyond the front and side yard setbacks in order to provide more coverage for their patrons during bad weather and protect their employees from the sun while working. The Zoning Hearing Board *granted* the variance with the condition that the adjacent property owner sign off on the encroachment.