

# FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda  
Monday September 20, 2021, 7:00 PM

*Join Zoom Meeting:*

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

Meeting ID: 838 3822 6462

[Zoom Access Instructions](#)

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## I. CALL TO ORDER

## II. PLEDGE OF ALLEGIANCE

## III. CITIZENS INPUT

## IV. APPROVAL OF MINUTES

1. September 7, 2021 Board of Supervisors Regular Meeting Minutes
2. August 31, 2021 Ward II Supervisor Vacancy Special Meeting Minutes

## V. SPECIAL REPORTS

- a. Centre Area Transportation Authority
- b. COVID-19 Local Response Report

## VI. UNFINISHED BUSINESS

1. Conditional Use Permit - 1350 Greenwood Circle
2. Award of Contract 2021-C18, Homestead Park Play Equipment

## VII. NEW BUSINESS

1. Consent Agenda
2. Strategic Plan Consultant Engagement – Polity, Inc.
3. University Park Air Service Expansion – Request for Support
4. Award Contract 2016-C11 – Automated Traffic Signal Performance Metrics
5. Fairbrook Park “Grow Zone” Map Amendment
6. Ordinance Amendment Authorization – Wireless Communications Facilities Ordinance
7. Variance Application Authorization – Solar Arrays on Public Works Maintenance Facility
8. Centre Region Parks and Recreation Governance Discussion

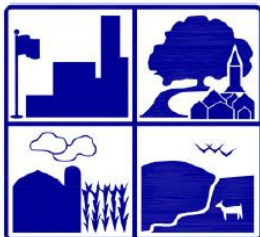
## VIII. REPORTS

## IX. COMMUNICATIONS TO THE BOARD

## X. CALENDAR ITEMS – SEPTEMBER/OCTOBER

## XI. ADJOURNMENT





# TOWNSHIP OF FERGUSON

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## BOARD OF SUPERVISORS Regular Meeting Agenda Monday, September 20, 2021 7:00 P.M.

### I. CALL TO ORDER

### II. PLEDGE OF ALLEGIANCE

### III. CITIZEN'S INPUT

### IV. APPROVAL OF MINUTES

1. September 7, 2021 Board of Supervisors Regular Meeting Minutes
2. August 31, 2021 Ward II Vacancy Special Meeting Minutes

### V. SPECIAL REPORTS

30 minutes

1. Centre Area Transportation Authority Report – John Spsychalski
2. COVID-19 Local Response Report – David Pribulka, Township Manager

### VI. UNFINISHED BUSINESS

1. **CONDITIONAL USE PERMIT APPLICATION – 1350 GREENWOOD CIRCLE** 10 minutes  
*Jenna Wargo, Director of Planning & Zoning*

#### **Narrative**

An application for a conditional use permit for property located at 1350 Greenwood Circle to subdivide a flag lot has been filed with the Township by SAS Geospatial on behalf of the property owners, Jessica Gracie-Griffin and Corey Griffin. 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 (MPC) 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 September 7, 2021, and received testimony from Township staff. The Township Manager has prepared a draft decision based on the record from the September 7<sup>th</sup> public hearing, and the draft is provided with the agenda. 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 application for 1350 Greenwood Circle subject to the conditions described in the Township Manager's written decision dated September 20, 2021.*

#### **Staff Recommendation**

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

**2. AWARD OF CONTRACT 2021-C18, HOMESTEAD PARK PLAY EQUIPMENT** 10 minutes

**Narrative**

Provided with the agenda is a copy of the estimate to construct new play equipment on Homestead Park. Several alternative designs were reviewed by the Parks & Recreation Committee and the piece of equipment proposed is consistent with the Committee's recommendation. The cost of the equipment is \$35,515.00, and the remainder would be available for installation awarded as a separate engagement.

*Recommended motion: That the Board of Supervisors award Contract 2021-C18, Homestead Park Play Equipment to George Ely Associates, Inc. in an amount of \$35,515.00.*

**Staff Recommendation**

That the Board of Supervisors **award** Contract 2021-C18 to George Ely Associates, Inc.

**VII. NEW BUSINESS**

**1. CONSENT AGENDA** 5 minutes

- a. Contract 2018-PWGG General, Pay App 15: \$40,000.00
- b. Contract 2020-4, Suburban Park, Pay App 11: \$20,511.60
- c. Voucher Report – August 2021

**2. AUTHORIZATION TO ENGAGE POLITY, INC. TO FACILITATE AN UPDATE TO THE FERGUSON TOWNSHIP STRATEGIC PLAN** 20 minutes

*David Pribulka, Township Manager*

**Narrative**

Provided with the agenda is a copy of the proposal received from Polity, Inc., to provide consulting services for the Ferguson Township Strategic Plan update. The engagement proposes to commence in the fall and conclude in March 2022. It includes a substantial community engagement initiative to supplement the results of the 2019 Community Survey. The proposed deliverables and timeline can be found on page ten of the attachment. Peter Melan, Chief Consultant at Polity, will be in attendance to review the proposal and to respond to any questions from Board members and the public.

*Recommended motion: That the Board of Supervisors authorize the Township Manager to execute an agreement to engage Polity, Inc., to facilitate an update to the Ferguson Township Strategic Plan.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the engagement of Polity, Inc.

**3. UNIVERSITY PARK AIRPORT AIR SERVICE EXPANSION – REQUEST FOR SUPPORT** 20 minutes  
*David Pribulka, Township Manager*

**Narrative**

Provided with the agenda is a communication from Centre County Board of Commissioners Chair Michael Pipe requesting the Board consider cosponsoring an incentive package to be provided to American Airlines for direct service from University Park Airport to Charlotte,

NC. The amount requested is \$10,000 and may be an eligible use of American Rescue Plan Act (ARPA) funds. The Township also maintains an economic development line item in the budget which has sufficient funds to accommodate the request. The incentive would be contingent on American Airlines committing to no fewer than twelve flights per week, and the Township would not be required to provide any funds if the commitment were not able to be met. If approved, the Township match would be added to allocations from Centre County (\$250,000), Patton Township (\$12,500), College Township (\$10,000), and State College Borough (\$25,000). Halfmoon Township is considering an appropriation of \$5,000 but has not yet committed. The expansion of air service from University Park Airport has potential to substantially increase economic development activity in the Centre Region.

*Recommended motion: That the Board of Supervisors authorize an appropriation of \$10,000 to supplement an incentive package for American Airlines to provide direct service from University Park Airport to Charlotte, NC.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the appropriation of \$10,000.

**4. AWARD OF CONTRACT 2016-C11 – AUTOMATED TRAFFIC SIGNAL PERFORMANCE METRICS** 5 minutes

*David Pribulka, Township Manager*

**Narrative**

On September 9, 2021, bids were opened publicly and read out loud for contract 2016-C11. The bid was advertised in the Centre Daily Times and sent out to potential bidders. This contract involves constructing a broad band communications network between all 21 traffic signals and the Township Building. The system will allow the Township to better manage traffic signal timing by analyzing data collected from each signal at a central location. Provided with the agenda is an award recommendation memorandum from Township Engineer Ron Seybert summarizing the bidding process.

*Recommended motion: That the Board of Supervisors award Contract 2016-C11 Automated Traffic Signal Performance Metrics to Wyoming Electric & Signal, Inc., in accordance with their bid in the amount of \$619,276.00.*

**Staff Recommendation**

That the Board of Supervisors **award** Contract 2016-C11.

**5. FAIRBROOK PARK “GROW ZONE” MAP AMENDMENT**

*David Pribulka, Township Manager*

10 minutes

**Narrative**

The Board of Supervisors directed staff to develop an amendment to the Grow Zone map for Fairbrook Park to improve the maintenance schedule and reduce the spread of invasive species and ticks. Provided with the agenda is the amended Fairbrook Park Grow Zone map with a yellow strip marked in the southeast of the park to indicate mowing along between the wooded area and the road for separation between the woods and the grassland.

*Recommended motion: That the Board of Supervisors approve the amendment to the Fairbrook Park “Grow Zone” Map.*

**Staff Recommendation**

That the Board of Supervisors **approve** the map amendment.

**6. AUTHORIZATION TO AMEND CHAPTER 27, ZONING; SECTION 710, WIRELESS COMMUNICATIONS FACILITIES ORDINANCE** 20 minutes

*David Pribulka, Township Manager*

**Narrative**

PA Act 50 was signed into law on June 30, 2021, and was drafted in unison with the Pennsylvania Municipal League and telecommunications providers. The legislation is heralded as one of the most collaborative and government-friendly set of regulations for small cell service providers in the nation. It provides for fair and equitable treatment of small wireless facilities and comprehensive protections for the municipality to ensure proper maintenance of public rights-of-way. The Act stipulates that local ordinances must be updated to reflect the provisions of Act 50, or local regulations will otherwise be preempted on October 28<sup>th</sup>. Staff has reviewed the provisions of the Act and is confident the amendment can be completed in-house.

Provided with the agenda is a copy of the Township's current Wireless Communications Facilities ordinance as well as a presentation delivered by Cohen Law Group describing the changes in the new legislation.

*Recommended motion: That the Board of Supervisors authorize staff to prepare an amendment to the Wireless Communications Facilities ordinance.*

**Staff Recommendation**

That the Board of Supervisors **authorize** staff to prepare the ordinance amendment.

**7. AUTHORIZATION TO SUBMIT A VARIANCE APPLICATION FOR THE INSTALLATION OF SOLAR ARRAYS ON THE FERGUSON TOWNSHIP PUBLIC WORKS MAINTENANCE FACILITY** 10 minutes

*David Pribulka, Township Manager*

**Narrative**

Provided with the agenda is copy of a draft application for variance prepared by the Township Manager requesting relief from the Ferguson Township ordinance requirement that rooftop solar arrays not be visible from the ground level on public right-of-way. The Basis of Design for the LEED Gold Public Works Maintenance Facility included the installation of rooftop-mounted solar photovoltaics to provide electricity to the building. The Board awarded a contract to Envinity to complete the work; however, the regulation was developed after the land development plan was submitted and approved. As a result, the provision requiring screening from public view was not incorporated in the design, and would substantially change the approved plan if it were required. The Board is asked to authorize a variance application for the September 28<sup>th</sup> Zoning Hearing Board meeting to seek a *de minimis* variance that would enable the installation as designed.

*Recommended motion: That the Board of Supervisors authorize the submission of a variance application to the Zoning Hearing Board for relief from Section 27-713(8)(B.) of the Township Zoning Ordinance.*

**Staff Recommendation**

That the Board of Supervisors **authorize** the submission of a variance application.

**8. CENTRE REGION PARKS AND RECREATION GOVERNANCE DISCUSSION**

*Laura Dininni, Township Supervisor*

10 minutes

**Narrative**

Provided with the agenda is a copy of a communication from College Township Councilmember Rich Francke that was presented to the COG Executive Committee in July. The communication suggests a task force to be formed to provide an assessment and recommendations on any changes in the governance model between the Centre Region Parks and Recreation Authority and the Centre Region Council of Governments. Ms. Dininni has requested this item to discuss the proposal with the Board prior to further consideration by the General Forum.

**Staff Recommendation**

That the Board of Supervisors *discuss* the COG Governance Model.

**VIII. STAFF AND COMMITTEE REPORTS**

25 minutes

1. **COG COMMITTEE REPORTS**
  - a. CCMPO Technical Committee
  - b. Finance Committee
  - c. Climate Action & Sustainability Committee
  - d. Public Safety Committee
  - e. Human Resources Committee
2. **OTHER COMMITTEE REPORTS**
  - a. Spring Creek Watershed Commission
3. **STAFF REPORTS**
  - a. Manager's Report
  - b. Public Works Director's Report
  - c. Planning & Zoning Director's Report
  - d. Chief of Police Report

**IX. COMMUNICATIONS TO THE BOARD**

**X. CALENDAR ITEMS – SEPTEMBER/OCTOBER**

- a. Ferguson Township upcoming committee meetings:
  1. Pine Grove Mills Small Area Plan Advisory Committee – Thursdays, September 23 and October 28, 4 p.m.
  2. Planning Commission - Mondays, September 27, October 11, and 25, 6 p.m.
  3. Tree Commission – Monday October 18, 5 p.m.
  4. Parks & Recreation Committee - Thursday, October 21, 4:00 p.m.
- b. Coffee & Conversation, Saturday, October 9, 8:00 a.m., Dunkin Donuts

**XI. ADJOURNMENT**