

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, October 3, 2022

7:00 PM

MEETING PARTICIPATION OPTIONS

VIRTUAL:

Join Zoom Meeting Link:

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

Meeting ID: 870 3166 5680

[Zoom Access Instructions](#)

IN-PERSON:

Ferguson Township Municipal Building

Main Meeting Room

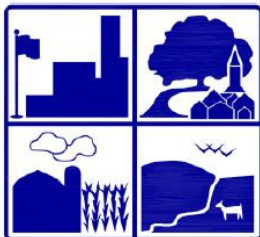
3147 Research Drive

State College, PA

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- I. CALL TO ORDER
 - II. PLEDGE OF ALLEGIANCE
 - III. CITIZENS INPUT
 - IV. APPROVAL OF MINUTES
 - V. AUTHORITIES, BOARDS, AND COMMISSION REPORTS
 - VI. SPECIAL REPORTS
 - VII. COG REGIONAL REPORTS
 - VIII. STAFF REPORTS
 - IX. UNFINISHED BUSINESS
 1. Public Hearing on an Ordinance authorizing Waiver of Additional Fees Assessed, and other Relief, for Tax Bills not received
 - X. NEW BUSINESS
 1. Consent Agenda
 2. Public Hearing Resolution authorizing filing of Grant Application with PA DCNR for Cecil Irvin Park, Phase 2 Funding
 3. Proclamation Proclaiming Hispanic Heritage Month
 4. Discussion on Granting Partial Exemption for Eligible Agricultural Properties from Stormwater Utility Fee and Repealing Resolution 2021-06
 5. Discussion on ARPA 2021 Fund Allocation for Rental Assistance in the 2022 Operating Budget
 6. Discussion on COG 2023 Proposed Budget
 7. Request for Minor Subdivision Plan – MP Machinery
 8. Discussion on State College West End and Ferguson Township West College Avenue Area
 9. Consideration of Heritage Tree Application at 211 Greenlee Lane
 - XI. COMMUNICATIONS TO THE BOARD
 - XII. CALENDAR ITEMS
 - XIII. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, October 3, 2022

7:00 p.m.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S INPUT** 5 minutes per resident
- IV. APPROVAL OF MINUTES**
 - 1. September 20, 2022, Board of Supervisors Meeting Minutes
- V. AUTHORITIES, BOARDS, AND COMMISSIONS REPORT** 20 minutes
 - 1. Centre Region Parks & Recreation Authority
- VI. SPECIAL REPORTS AND ACKNOWLEDGEMENTS** 20 minutes
 - 1. Diversity, Equity, and Inclusionary Acknowledgements – Domestic Violence Awareness Month, Filipino-American Heritage Month, German-American Heritage Month, Italian-American Heritage Month, Polish-American Heritage Month
 - 2. Township and Fiscal Responsibility – Status Update Report on Credits and Exemptions for Stormwater Utility Fee by Assistant Township Manager Jaymes Progar
 - 3. Community and Economic Development – no report
 - 4. Environment – no report.
- VII. COG AND REGIONAL COMMITTEE REPORTS** 25 minutes
 - 1. COG COMMITTEE REPORT**
 - a. Executive Committee
 - b. CCMPO Coordinating Committee
 - c. Park Governance
 - d. Finance Committee
 - e. Spring Creek Watershed Commission
 - 2. OTHER COMMITTEE REPORTS**
- VIII. STAFF REPORTS**
 - 1. Township Manager's Report
 - 2. Public Works Director Report
 - 3. Planning and Zoning Report

IX. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE WAIVER OF ADDITIONAL FEES AND PENALTIES ASSESSED, AND CERTAIN OTHER RELIEF, IN THE EVENT REAL ESTATE TAX BILLS WERE NOT RECEIVED.**

Eric Endresen, Director of Finance and Tax

Narrative

The Governor signed Act 57 of 2022 in July to amend the act of May 25, 1945 (P.L. 1050, No. 394) known as the Local Tax Collection Law, by amending Section 7 relating to "Effect of Failure to Receive Tax Notice". The intent of Act 57 of 2022 is to waive penalties and/or fees for new property owners who may not have received a real estate tax bill that was inadvertently mailed to the previous owner. Provided with the agenda is a copy of the resolution authorizing the waiver of additional fees and penalties assessed in the event real estate tax bills not received.

Recommended Motion: That the Board of Supervisors adopt the ordinance authorizing waiver of additional fees and penalties assessed, and certain other relief, in the event real estate tax bills were not received in accordance with the ordinance presented.

Staff Recommendation

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

X. NEW BUSINESS

1. **CONSENT AGENDA** 5 minutes
 - a. Contract 2021-C4, Harold Dr. Improvements, Pay App 2: \$1,571.10
2. **A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE FILING OF THE GRANT APPLICATION FOR FUNDING ADMINISTERED BY THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES FOR THE PROJECT, "CECIL IRVIN PARK – PHASE 2".** 15 minutes

Jaymes Progar, Assistant Township Manager

Narrative

On September 6, the Pennsylvania Department of Conservation and Natural Resources opened an application period for a supplemental fall funding round. This grant round is similar to the spring DCNR Community Conservation Partnerships Program grants. Eligible projects include Community Parks and Recreation projects that expand or rehabilitate existing parks that improve access to recreation for all. As a result of this opportunity, Staff proposes to apply for this grant for the construction of Cecil Irvin Park – Phase II, a vital, urgent need providing connectivity throughout the Pine Grove Mills village area. Additionally, this park features climate action affirmative Green Infrastructure via native seed mixes and pervious paving while also supporting the Township's stormwater infrastructure. The proposed plan is consistent with the Park Master Plan Phase 2.1 as drawn by HRG with additional walking paths and alternative amenities suggested as a result of a 2021 review process by the Pine Grove Mills Small Area Plan Committee. Amenities include dual walking loops, ADA accessible pathways, benches, parking, and a pavilion providing access to recreation for all. Construction of

this phase represents a critical step in the completion of Cecil Irvin Park, a focal point of open space for a growing community. A draft resolution is provided with the agenda for tonight's public hearing.

Recommended Motion: That the Board of Supervisors adopt the resolution authorizing the submittal of a DCNR C2P2 Grant Application for Cecil Irvin Park supplemental funding.

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

3. **A PROCLAMATION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA PROCLAIMING OCTOBER AS HISPANIC HERITAGE MONTH** 5 minutes
Jaymes Progar, Assistant Township Manager

Narrative

Provided with the agenda is a copy of the proclamation to recognize and honor Hispanic Heritage Month.

National Hispanic Heritage Month recognizes and celebrates the contributions of Hispanic Americans to American culture. September 15 through October 15 commemorates the independence of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, Mexico and Chile, all gained during this period.

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

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

4. **DISCUSSION AND AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING ON A RESOLUTION TO AUTHORIZE FERGUSON TOWNSHIP TO GRANT PARTIAL EXEMPTION FOR ELIGIBLE AGRICULTURAL PROPERTIES FROM THE FERGUSON TOWNSHIP STORMWATER MANAGEMENT UTILITY FEE AND REPEALING RESOLUTION 2021-06.** 15 minutes
David Modricker, Director of Public Works

Narrative

Provided with the agenda is a revised version of the partial agricultural properties exemption policy proposed for the consideration of the Board. Provided with the agenda is a copy for review and discussion. Staff will receive comments from the Board's discussion and then update with necessary revisions prior to sending for legal review. The Board is being asked this evening to authorize the advertisement of a public hearing at the October 18 regular meeting prior to acting on the proposed policy amendment.

Recommended Motion: That the Board of Supervisors authorize the advertisement of a public hearing on a resolution to grant partial exemptions for eligible agricultural properties from the stormwater management utility fee.

Staff Recommendation
That the Board of Supervisors **authorize** staff to advertise for a public hearing.

- 5. DISCUSSION ON THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA) ALLOCATION OF FUNDS IN THE 2022 OPERATING BUDGET FOR RENTAL ASSISTANCE.** 25 minutes
Centrice Martin, Township Manager

Narrative

On December 7, 2021, the Board allocated \$20,000 of ARPA funds to be used for rental assistance. Staff proposes a temporary emergency rental assistance program in response to the affordable housing concerns and the disparities that exist for tenants. As outlined in the memorandum from the Township Manager, it proposes issuing the funds to Centre Help. Centre Help provides rental assistance to Centre County residents that demonstrate a need or risk of homelessness.

Recommended Motion: That the Board of Supervisors authorize the Township Manager to partner with Centre Help and allocate \$20,000 funds to provide rental assistance to Ferguson Township residents.

Staff Recommendation

That the Board of Supervisors **authorize** allocation of funds for rental assistance.

- 6. DISCUSSION ON THE COUNCIL OF GOVERNMENTS PROPOSED 2023 BUDGET** 45 minutes
Centrice Martin, Township Manager

Narrative

On Friday, September 23, 2022, the Centre Region Council of Government (CRCOG) Finance Committee received their proposed 2023 Operating Budget. A link to the CRCOG proposed 2023 Operating Budget is provided. Provided with the agenda is a letter prepared by the Centre Region Municipal Managers to the CRCOG Finance Committee.

Staff Recommendation

That the Board of Supervisors **discuss** the proposed 2023 COG Budget.

- 7. REQUEST FOR MINOR SUBDIVISION PLAN** 10 minutes
Jeff Ressler, Zoning Administrator

a. MP MACHINERY MINOR SUBDIVISION PLAN

Narrative

Penn Terra Engineering, Inc., submitted on behalf of their client, the 'Subdivision/Replot of TP 24-433-007-0000 and 24-433-008-0000 at 2151 and 2161 Sandy Drive' Minor Subdivision Plan. This plan proposes the adjustment of the lot line between the two parcels to add an additional 4,800 SF to TP 24-433-007-0000. No new lots are being created with this submission. Since this is a minor subdivision plan, it will proceed as a Preliminary/Final submission that will be reviewed once by the Board of Supervisors for approval.

Planning Commission reviewed this plan at the September 26, 2022, regular meeting and recommended approval to the Board of Supervisors. Staff has reviewed the minor subdivision plan and is recommending conditional approval subject to the outstanding comments as described in the Director of Planning & Zoning's memorandum dated September 27, 2022.

Recommended Motion: That the Board of Supervisors conditionally approve the Subdivision/Replot of TP 24-433-007-0000 and 24-433-008-0000 at 2151 and 2161 Sandy Drive subject to the outstanding comments as described in the Director of Planning & Zoning's memorandum dated September 27, 2022.

Staff Recommendation

That the Board of Supervisors **approve** the minor subdivision plan.

8. DISCUSSION ON THE STATE COLLEGE WEST END AND FERGUSON TOWNSHIP WEST COLLEGE AVENUE AREA 15 minutes

Centrice Martin, Township Manager

Narrative

There is increased attention to the West College area as the Township continues to advance the Terraced Streetscape District rewrite effort. In previous years, the State College Borough Council and Ferguson Township Board of Supervisors have expressed interest to collaborate for a joint effort to evaluate the opportunities for a cooperative approach to the adjoining neighborhoods along the West College Avenue Corridor. It is recognized that the Borough and the Township historically struggled to identify options for infusing a vibrant and welcoming experience when traversing through the municipal lines on West College Avenue. The Board is asked to consider support for the Manager to send a letter of invitation to the university and the Council of State College Borough for a town-gown meeting to discuss and explore possibilities for a collaborative and cooperative approach to a unified vision.

Recommended Motion: That the Board of Supervisors authorize the Manager to extend a letter of invitation to the State College Borough Council and Penn State University Governmental Affairs.

Staff Recommendation

That the Board of Supervisors **discuss** extending an invitation to the State College Borough Council and Penn State University for a town-gown discussion.

9. DISCUSSION ON THE CONSIDERATION OF TWO HERITAGE TREE APPLICATIONS

David Modricker, Director of Public Works

10 minutes

Narrative

Provided with the agenda is an application from Darryl and Susan Slimak to nominate 2 trees as Heritage Trees due to their age, impressive large size, health, and beauty. The trees are located at 211 Greenlee Lane in the Fairbrook neighborhood. The property owners had their own arborist evaluate the trees. The Ferguson Township Arborist, Larry Maginnis evaluated the trees. The Tree Commission reviewed the application package, photographs, and discussed the application with the property owner, Darryl Slimak, at the regular meeting of the Tree Commission on August 15, 2022. The Tree Commission recommends that the Board of Supervisors designate the trees as Heritage Trees. The Township Arborist has obtained the property owner's signature on an easement to be recorded and the Township will maintain the tree as stated in the Heritage Tree Ordinance.

Staff Recommendation

That the Board of Supervisors **approve** the 2 trees located at 211 Greenlee Lane in the Fairbrook neighborhood as Heritage Trees.

XI. COMMUNICATIONS TO THE BOARD

XII. CALENDAR ITEMS – October

- a. Planning Commission - October 10 & 24
- b. Board of Supervisors Worksession – October 11
- c. Parks & Recreation Committee - October 13
- d. Coffee and Conversation - Saturday, October 15, Dunkin' Donuts, 8 AM
- e. Tree Commission - October 17
- f. Pine Grove Mills SAP Advisory Committee - October 27

XIII. ADJOURNMENT