

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, October 21, 2019

7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. Schlow Library
2. Centre Region Parks & Recreation Authority
3. LED Street Lighting

III. APPROVAL OF MINUTES

1. October 7, 2019, Board of Supervisors Regular Meeting

IV. UNFINISHED BUSINESS

1. Public Hearing Ordinance on Chapter 27 Zoning
2. Public Hearing Ordinance on Chapter 22 Subdivision & Land Development
3. Public Hearing Resolution on Personnel Policy Manual - Drug Free Workplace
4. Discussion on Amendments to Official Zoning Map

V. NEW BUSINESS

1. Consent Agenda
2. Public Hearing Resolution Authorizing Reimbursement Agreement with PaDOT on Vehicle Detection Upgrade
3. Public Hearing Resolution for Adoption of Revised Sidewalk Snow Removal Map

VI. REPORTS

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

VII. COMMUNICATIONS TO THE BOARD

VIII. CALENDAR ITEMS – OCTOBER/NOVEMBER

2. Open House - Bicycle Implementation Plan, Ferguson Township, Wednesday, October 30, 6:00 p.m. – 8:00 p.m.
3. Trick or Treat Night in Ferguson Township, Thursday, October 31st, 6:00 p.m. – 8:00 p.m.

IX. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, October 21, 2019
7:00 p.m.**

I. CALL TO ORDER

II. CITIZEN'S INPUT

III. SPECIAL REPORTS

20 minutes

1. Schlow Library – Lewis Steinberg
2. Centre Region Parks & Recreation Authority – Bill Keough
3. LED Street Lighting – David Modricker

IV. APPROVAL OF MINUTES

1. October 7, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CODE OF ORDINANCES, CHAPTER 27, ZONING AND REPLACING IT WITH A NEW CHAPTER 27, ZONING.** 10 minutes

Narrative

The Board of Supervisors will hold a public hearing on the proposed Chapter 27, Zoning Ordinance. The Ferguson Township Planning and Zoning Department along with Environmental Planning and Design (EPD) have been working over the past two years to update the Township's Zoning Ordinance.

Throughout the process, staff has worked with a Zoning and SALDO Steering Committee made up of residents, local realtors, business owners, farmers, Planning Commission members, professional planners, an arborist, attorney, Builders Association, and the Chamber of Business and Industry. An Agricultural Ad Hoc Committee was formed to review the Agricultural Zoning Districts in the Township. The Planning Commission has reviewed this document as well as the Centre Region Planning Commission. Several special meetings of the Board of Supervisors, Staff and EPD were held to review recommendations by the various groups and agencies.

The proposed Zoning Ordinance has been made available for review at the Ferguson Township Municipal Building, 3147 Research Drive, State College, PA during normal business hours and at www.twp.ferguson.pa.us.

This hearing is for the purpose of receiving public comment only. The Board is asked to continue the public hearing until November 4th to allow proper time to re-advertise substantive changes that were made to the draft. A link to the webpage including the draft ordinance can be found below.

[Ferguson Township Zoning Ordinance and Subdivision and Land Development Ordinance Amendments](#)

Recommended motion: That the Board of Supervisors continue the public hearing on the draft Zoning Ordinance amendment until November 4, 2019.

Staff Recommendation

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

2. **A PUBLIC HEARING ON AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA, REPEALING THE CODE OF ORDINANCES, CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT AND REPLACING IT WITH A NEW CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT.** 10 minutes

Narrative

The Board of Supervisors will hold a public hearing on the proposed Chapter 22, Subdivision and Land Development Ordinance. The Ferguson Township Planning and Zoning Department along with Environmental Planning and Design (EPD) have been working over the past two years to update the Township's Subdivision and Land Development (SALDO) Ordinance.

Throughout the process, staff has worked with a Zoning and SALDO Steering Committee made up of residents, local realtors, business owners, farmers, Planning Commission members, professional planners, an arborist, attorney, Builders Association, and the Chamber of Business and Industry. An Agricultural Ad Hoc Committee was formed to review the Agricultural Zoning Districts in the Township. The Planning Commission has reviewed this document as well as the Centre Region Planning Commission. Several special meetings of the Board of Supervisors, Staff and EPD were held to review recommendations by the various groups and agencies.

The proposed Subdivision and Land Development Ordinance is available for review at the Ferguson Township Municipal Building, 3147 Research Drive, State College, PA during normal business hours and at www.twp.ferguson.pa.us.

This hearing is for the purpose of receiving public comment only. The Board is asked to continue the public hearing until November 4th to allow proper time to re-advertise substantive changes that were made to the draft. A link to the webpage including the draft ordinance can be found below.

[Ferguson Township Zoning Ordinance and Subdivision and Land Development Ordinance Amendments](#)

Recommended motion: That the Board of Supervisors continue the public hearing on the draft Subdivision and Land Development Ordinance amendment until November 4, 2019.

Staff Recommendation

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

3. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE FERGUSON TOWNSHIP PERSONNEL POLICY MANUAL BY AMENDING SECTION 34, DRUG FREE WORKPLACE.** 5 minutes

Narrative

Provided with the agenda is a copy of the resolution as advertised for public hearing amending the Township's Drug Free Workplace Policy and the Drug & Alcohol Testing Policy. The policies are included with the Personnel Policy Manual and apply to Non-Uniformed Personnel. The purpose of the amendment is to address permissive use of medical marijuana as provided for in the Pennsylvania Medical Marijuana Act adopted in 2016. Per the statute, Township personnel required to possess Commercial Driver's Licenses may still be prohibited from using

marijuana for medicinal or recreational purposes. Law enforcement officials are prohibited from using medicinal marijuana by the Municipal Police Officers' Education and Training Commission. The Commission has adopted a guideline establishing that it will not certify law enforcement officers under PA Act 120 who have been prescribed medical marijuana. Under the policy, the only personnel permitted to use the substance would be those non-uniformed, non-CDL employees who have been duly prescribed the medication and who provide proper notification to the Township. In addition, minor changes were also made to the Drug & Alcohol Testing Policy to be in compliance with the Federal Motor Carrier Safety Administration. Both policies as redlined and final formats have been provided with the agenda, as well.

Recommended motion: That the Board of Supervisors adopt the resolution amending the Ferguson Township Personnel Policy Manual by amending Section 34, Drug Free Workplace and Section 35, Drug & Alcohol Testing Policy.

Staff Recommendation

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

4. DISCUSSION OF AMENDMENTS TO THE FERGUSON TOWNSHIP OFFICIAL ZONING MAP.

15 minutes

Narrative

The Board will recall that amendments to the Zoning Map were initially discussed as part of the overall changes being made to the Zoning and Subdivision and Land Development Ordinances. However, after some thought about potential changes to the Village District; rezoning parcels located in Rock Spring; and potentially rezoning certain areas of Rural Agricultural inside the Regional Growth Boundary on property owned by Penn State University, the decision was made to delay the approval of the amended Zoning Map until further discussion takes place. The Board is asked to begin discussing these changes now and establish a desired timeframe in which to proceed with the amended Zoning Map. Ms. Aneckstein will introduce the item and briefly review the notification and advertisement requirements of the Pennsylvania Municipalities Planning Code. Below is a link to the currently-adopted Official Zoning Map of Ferguson Township. The last amendment to the map was made on January 21, 2019, to establish the Sourcewater Protection Overlay District.

[Ferguson Township Official Zoning Map](#)

Staff Recommendation

That the Board of Supervisors **discuss** the process and desired timeframe to amend the Ferguson Township Official Zoning Map.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

a. Special Events Permit – Cranksgiving

2. A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AUTHORIZING THE SECRETARY OF THE BOARD OF SUPERVISORS TO EXECUTE A REIMBURSEMENT AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR UPGRADING AND INSTALLATION OF EQUIPMENT REQUIRED TO PROVIDE VEHICLE DETECTION UPGRADE AT EXISTING SIGNALIZED INTERSECTIONS.

5 minutes

Narrative

Earlier this year, the Township was advised that it was awarded a Green Light-Go Grant from PennDOT for the 2018 round of applications. The grant is for the continued upgrading of traffic signal detection for vehicles, motorcycles, and bicycles. This year's grant is for a \$100,000 project with 20% matching funds and 80% grant funds. To receive the grant award, the Township needs to sign the grant agreement in the Commonwealth of Pennsylvania's dotGrants online program. Provided with the agenda is a resolution for the Board's approval as required to authorize the Township Secretary to execute the grant agreement. This project is included in the approved 2020-2024 Capital Improvement Program budget.

Recommended motion: That the Board of Supervisors adopt the resolution authorizing the Secretary of the Board of Supervisors to execute the Green Light-Go Program Grant/Reimbursement Agreement with the Pennsylvania Department of Transportation using dotGrants and to execute all future documents related to this Grant.

Staff Recommendation

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

- 3. **A PUBLIC HEARING ON A RESOLUTION OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA REPEALING RESOLUTION 2018-25 BY ADOPTING A REVISED SIDEWALK SNOW REMOVAL MAP.** 5 minutes

Narrative

Pursuant to Chapter 21, Section 207 of the Ferguson Township Code of Ordinances, the Board of Supervisors adopts a sidewalk snow removal map annually identifying the sections of public sidewalk that fall under the provision of the ordinance requiring sidewalks be kept clear of snow and ice. The map assists the Township's Ordinance Enforcement Officer in identifying new sections of sidewalk, as well as areas that are exempt from the requirements of the ordinance. Provided with the agenda is a copy of the resolution as advertised for public hearing, which includes the map attachment as Exhibit "A." Also provided with the agenda is a PDF version of the map so that it can be viewed at a higher resolution.

Recommended motion: That the Board of Supervisors adopt the resolution repealing Resolution 2018-25 by adopting a revised sidewalk snow removal map.

Staff Recommendation

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

VII. STAFF AND COMMITTEE REPORTS

- 1. **COG COMMITTEE REPORTS** 10 minutes
 - a. Public Safety Committee
 - b. Finance Committee
- 2. **OTHER REGIONAL REPORTS** 5 minutes
- 3. **STAFF REPORTS** 10 minutes
 - a. Township Manager
 - b. Public Works Director
 - c. Planning & Zoning Director
 - d. Chief of Police

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – OCTOBER/NOVEMBER

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- b. Trick or Treat Night in Ferguson Township, Thursday, October 31st, 6:00 p.m. – 8:00 p.m.

X. ADJOURNMENT